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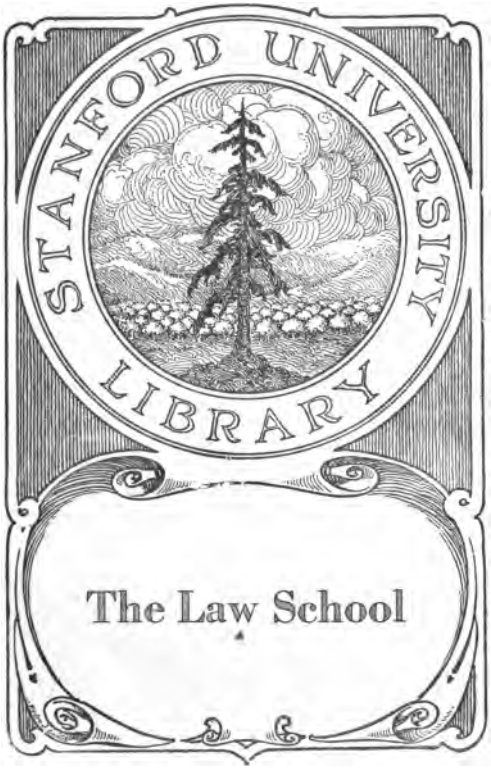
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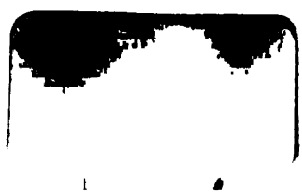

ACTS

OF THE

STATE OF TENNESSEE,

PASSED AT THE SECOND SESSION OF THE

THIRTY-FIFTH GENERAL ASSEMBLY,

FOR THE YEARS

1868–69.

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PUBLIC ACTS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF TENNESSEE,

Passed at the Second Session of the Thirty-fifth General Assembly, which was begun and held at Nashville, on Monday, the ninth day of October, in the year One Thousand Eight Hundred and Sixty-eight.

CHAPTER I.

AN ACT to Compel Insurance Companies, Banks, etc., to pay the Tax due the State into the Treasurer's Office.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be the duty of Insurance Companies, Banks, etc., to pay directly into the Treasury of the State, the State taxes arising from Insurance Companies, Banks, etc., upon the warrant of the Comptroller. Must pay taxes into State Treasury.

SEC. 2. *Be it further enacted*, That all laws and parts of laws, in conflict with the provisions of this Act be, and the same are hereby repealed; and that this Act shall take effect from and after its passage. Repealed.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed November 30, 1868.

CHAPTER II.

AN ACT for the Benefit of Millers and Persons going or sending to Mill.

SECTION. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That from and after the passage of this Act, no Miller in this State shall be liable or responsible for any sack, bag, or grist of grain, meal or flour, taken, removed, or mislaid from his or her mill, without the name of the person so losing the same, be plainly branded by the owner upon said sack or bag; but in all cases when any sack, or grist of grain, meal or flour, be carried, sent, or left at the mill of any miller in this State, and the same is plainly branded by the owner, with the name of the same, and while at said mill under the care and control of the Miller, the same is lost or mislaid, the Miller shall be liable to the owner in the full value of the same.

Liability of Millers for Marked bags.

SEC. 2. *And be it further enacted*, That any Miller in this State, who shall swap or change the grain, meal or flour, of any person or persons, except by, and with the advice and consent of the owner thereof, shall be fined ten dollars; to be recovered before any Justice of the Peace; one-half to go to the Common School Fund of the county, and the other half, to go to the person complaining to said Justice of the Peace.

Changing or swapping grain.

SEC. 3. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be, and the same is hereby repealed, and that this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 1, 1868.

CHAPTER III.

AN ACT to Change the Time of Holding the Circuit Courts in Wilson County.

SEC. 1. *Be it enacted by the General Assemby of the State of Tennessee*, That the Circuit Courts in Wilson county shall hereafter be held, commencing on the second Mondays of January, May, and September, instead of the third Monday, as now required by law.

Second Mondays.

SEC. 2. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 3, 1868.

CHAPTER IV.

AN ACT to Regulate the Fire Test of Illuminating Oils.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That no person shall mix for sale, naptha and Illuminating Oils, or shall knowingly sell or keep for sale, or offer for sale, such mixture, or shall sell or offer for sale, oil made from petroleum for illuminating purposes, inflammable at less temperature than 120 degrees Fahrenheit; and any person so doing, shall be held guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not less than one hundred dollars, nor more than five hundred dollars, and by imprisonment for a time of not less than six months, nor more than three years.

Must be only 120 deg. Fahrenheit.

SEC. 2. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 7, 1868.

CHAPTER V.

AN ACT to Repeal the 9th section of An Act, passed March 14, 1868, entitled An Act to Change the Line between the Counties of Smith, Putnam and DeKalb, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the 9th section of An Act passed March 14, 1868, changing the lines between the counties of White and DeKalb be and the same is hereby repealed.

Act of March 14, 1868, repealed.

Act of Dec. 2, 1867, repealed.

SEC. 2. *Be it further enacted*, That the second section of An Act passed December 2, 1867, entitled An Act to change the line between the counties of DeKalb and White be and the same is hereby repealed, except so far as the lands now owned by Hiram Morris, and George W. Darting, and A. P. Midenix.

Obion and Weakley Counties.

SEC. 3. *Be it further enacted*, That section 6, chapter 20, of An Act passed December 12, 1867; and also section 4, chapter 82, passed March 14, 1868, changing the county line between the counties of Obion and Weakly be and the same is hereby repealed.

SEC. 4. *Be it further enacted*, That this Act shall take effect from its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 14, 1868.

CHAPTER VI.

AN ACT to Amend An Act entitled An Act to Incorporate the Tennessee and Pacific Railroad Company, and for other purposes.

E. T. & W. N. C. R. R. Co. may draw $10,000 per mile for grading.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 32 of An Act entitled "An Act to incorporate the Tennessee and Pacific Railroad Company, and for other purposes," is hereby so amended as to allow the East Tennessee and Western North Carolina Railroad Company to use and draw from the State in the six per cent. bonds of the State ten thousand dollars ($10,000) per mile, heretofore appropriated to iron and equip said road, as follows, to-wit: Ten thousand dollars per mile when said road shall be graded to the town of Elizabethtown for that portion of said road, and for the next section of said road from Elizabethtown to Doe River Cove the same amount per mile, and the same amount per mile for the section of said road from Doe River to Crab Orchard.

Cleveland and Ducktown R. R. Co., same.

SEC. 2. *Be it further enacted*, That so much of section 61 of said act be so amended as to allow and authorize the Cleveland and Ducktown Railroad Company to receive from the State ten thousand dollars ($10,000) per mile, the bonds appropriated in said section to enable said company to iron and equip said road whenever the first section of ten (10) miles is graded, and whenever

an additional section thereafter of five (5) miles shall be graded and ready for the iron, said railroad company shall be entitled to receive ten thousand dollars ($10,000) per mile for such section.

SEC. 3. *Be it further enacted*, That said railroad company shall be entitled to receive such aid from the State in sums of ten thousand dollars ($10,000) per mile for each section as referred to in sections 1 and 2 of this Act, whenever the State Directors of said companies shall make and file with the Comptroller of the State their certificate as Directors, that said section has been graded and is now ready for the iron. Certificate of Directors.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 16, 1868.

CHAPTER VII.

AN ACT to Put in Force the Seventy-fifth Chapter of the Acts of 1868.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That chapter 75, entitled An Act to make the rules of evidence in the Federal and State Courts uniform, passed on the 13th of March, 1868, be in force from and after the passage of this Act. Rules of Evidence.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 17, 1868.

CHAPTER VIII.

AN ACT to Change the Time of holding the Circuit Court in the County of Roane, and for other purposes.

Chancery Court.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter the Chancery Court for the county of Roane, shall be held on the fourth Mondays of May and November, in each year, instead of the fourth Mondays of April and October, as now provided by law; and that all process which has been issued since the last term of said Court, and all that may hereafter be issued, shall be returnable to the times hereinafter specified.

Circuit Court.

SEC. 2. *Be it further enacted*, That the times for holding the Circuit Court for Roane county, as they are now fixed by law, be changed so as to hold said Court hereafter on the fourth Mondays of April, August and December, in each and every year.

Proviso.

SEC. 3. *Be it further enacted*, That all laws in conflict with this Act be, and the same are hereby, repealed; provided, that the next term of the Circuit Court for Roane county be held as usual, on the first Monday after the fourth Monday of February, 1869.

Chancery Court at Livingston.

SEC. 4. *Be it further enacted*, That hereafter the Chancery Court, at Livingston, in the county of Overton, Tennessee, shall be so changed as hereafter to be held on the fourth Monday in March, and the second Monday in October of each year, and all laws and parts of laws in conflict with this Act, are hereby repealed.

SEC. 5. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 17, 1868.

CHAPTER IX.

AN ACT to Authorize the Construction of the Norfolk and Great Western Railroad through the Limits of this State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Norfolk and Great Western Railroad Company be, and are hereby author-

ized and empowered to make all necessary surveys, to locate, establish, and construct a line of railroad through this State, connecting with the road for which said company have charters from the States of Virginia and North Carolina; running from Norfolk by way of Danville, Virginia, and through the State of North Carolina, passing over the North Carolina and Tennessee line, about what is known as Low Gap, in Johnson county, in this State, or some other practicable route passing Taylorsville, Johnson county, to the most convenient and direct point to intersect with the Tennessee and Pacific Railroad, now contemplated. Powers to survey, construct, etc. Route.

SEC. 2. *Be it further enacted*, That said company shall be, and are hereby, vested with all the rights, privileges and immunities that are granted to railroad companies under the existing laws, establishing and encouraging Internal Improvements in this State. Privileges.

SEC. 3. *Be it further enacted*, That said company shall be, and are hereby, declared to be entitled to all the franchises and subject to all the disabilities and requirements imposed on the Tennessee and Pacific Railroad Company. Disabilities, etc.

SEC. 4. *Be it further enacted*, That said company be, and are hereby, authorized and empowered to appoint Commissioners to solicit subscription, and aid in locating and constructing said road, and do any and all necessary acts in the premises; *Provided*, That said Acts shall not conflict with the general laws relating to Internal Improvements and the provisions of this Act. Commissioners.

SEC. 5. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 18, 1868.

CHAPTER X.

AN ACT to Authorize the County of Stewart to Issue County Bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county of Stewart in said State is hereby authorized to issue county bonds not to exceed the sum of twenty thousand dollars, for

Court-house. the purpose of rebuilding the court house in said county, which was destroyed by fire in the fall of 1862.

SEC. 2. *Be it further enacted*, That said bonds be issued and sold under the directions of the County Court of said county.

SEC. 3. *Be it further enacted*, That said bonds shall be issued with or without coupons, at the discretion of said court, and in denominations of not less than twenty-five, nor more than one hundred dollars, and not to run more than ten years, and bearing such interest as the County Court may designate.

Denomination.

SEC. 4. *Be it further enacted*, That so much of said section 5, as authorizes and empowers the Board of County Commissioners for Sumner county to issue coupon bonds to fund the actual indebtedness of the said county, and no more, be and the same is hereby repealed.

Sumner County.

SEC. 5. *Be it further enacted*, That said Board of County Commissioners, in order to meet said indebtedness of said county, be and they are hereby authorized and empowered to issue six per cent. coupon bonds, which, by them may be put upon the market and sold or used as collateral security, to obtain funds for the purpose hereinafter indicated: *Provided*, That they shall, in no event, issue bonds to an amount greater than the sum of twenty thousand dollars: *Provided further*, That said bonds be made payable at such times and places, and in such manner, and shall be of such denomination as said Board of Commissioners shall determine.

Commissioners may issue bonds.

SEC. 6. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 18, 1868.

CHAPTER XI.

AN ACT Granting State Aid to Certain Turnpike Companies, and for other Purposes.

Governor to issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Governor of the State is hereby authorized and directed to issue the coupon bonds of the State to the following named companies, subject to the following restrictions, to-wit: Before said

companies shall be entitled to draw the bonds herein appropriated, they shall be organized according to their charter, and shall have subscriptions of *bona fide* and solvent stock equal in amount to that appropriated by the State, and the State hereby holds a first lien on said turnpike road for the several amounts so appropriated: To the Rogersville and Little War Gap Turnpike Company, five thousand dollars ($5,000); to the New Market, Mouth of Buffalo and Rutledge Turnpike Company, fifteen thousand dollars ($15,000); to the Jacksboro, Powell's Valley and Cumberland Gap Turnpike Company, ten thousand dollars ($10,000); to the Alexandria, Lancaster and Wolf Creek Turnpike Company, ten thousand dollars ($10,00);) to the Knoxville and Tazewell Turnpike Company, ten thousand dollars ($10,000). Lien. Roads and amounts.

SEC. 2. *Be it further enacted*, That An Act passed March 14, 1868, incorporating the Jacksboro, Powell's Valley and Cumberland Gap Turnpike Company be so amended as to include the following persons as incorporators in said road: William Scruggs, Frederick Detavener, William C. Hall, and Henry Sharp. J., P. V. & C. Gap.

SEC. 3. *Be it further enacted*, That the Act incorporating the Alexandria, Lancaster and Wolf Creek Turnpike Company, passed February 29, 1856, is hereby so amended as to allow the officers and stockholders of said road to have further time, extending until January 1, 1872, to complete said road. Alex., L. & Wolf Creek.

SEC. 4. *Be it further enacted*, That when the Knoxville and Tazewell Turnpike Road shall have been completed a distance of four miles from the town of Maynardsville the company shall have the right to erect a toll-gate on said road, charge and receive toll according to the provisions of the original charter of said road. Knoxville and Tazewell.

SEC. 5. *Be it further enacted*, That the charter of the New Market, Mouth of Buffalo and Rutledge Turnpike Company be so amended as to give the following additional incorporators: Allen S. Tate, J. W. Thornburgh, D. G. Thornburgh, Lem. Dick, Wm. Smith, E. A. Sawyers, B. B. Glenn, and J. P. Galbraith, and that the said turnpike company shall be entitled to all the rights and privileges of the Knoxville and Kingston Turnpike Company. New Market Mouth of B. & Rutledge.

SEC. 6. *Be it further enacted*, That the above turnpike company shall be subject in all respects to the internal improvement laws of the State: *Provided*, That this Act shall not be so construed as to require the Rogersville and Little War Gap Turnpike Company to take the Proviso

required stock before the State aid is granted as contemplated in said act.

SEC. 7. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 18, 1868.

CHAPTER XII.

AN ACT to Establish the Tennessee Agricultural College.

Agricultural Scrip to E. T. University.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the proceeds of the sale of the Agricultural Scrip, appropriated by Congress for the establishment of an institution of learning, devoted to agricultural and the mechanic arts, be, and are hereby appropriated to the University of East Tennessee, upon the restrictions and conditions herein mentioned.

Duty of Trustees.

SEC. 2. *Be it further enacted*, That it shall be the duty of the Trustees of said University, to establish an Agricultural College, so as to strictly conform with the Congressional enactment making the appropriation.

SEC. 3. *Be it further enacted*, That the fund hereby appropriated, shall be used only according to the terms of the Congressional enactment making the appropriation to the State.

Buildings and Land, etc.

SEC. 4. *Be it further enacted*, That as soon as the Trustees of said University shall have completed buildings for the accommodation of two hundred and seventy-five students, and shall have furnished the same with appropriate school furniture; and shall have provided suitable lands, not less in extent than two hundred acres, so that the whole property shall be worth, at a fair estimation of values, not less than one hundred and twenty-five thousand dollars, it shall be lawful for the Governor of the State to issue to the Trustees of said University, the bonds of the State in which the proceeds of the sale of the Agricultural Scrip have been invested.

Governor's duty.

Secretary of State.

SEC. 5. *Be it further enacted*, That the Secretary of State shall register the number and denominations of the bonds issued to the Trustees of said University, and shall also cause the character of the issue to be indel-

libly printed upon the bonds, and shall retain a file of said numbers and denominations in his office.

SEC. 6. *Be it further enacted*, That three students from each county in the State of Tennessee, shall at all times be entitled to receive free tuition in said College; said students to be nominated by the several Representatives to the Legislature from each county in the State, and preference being given; first, to the children of deceased Federal soldiers; second, to children of those who lost their lives on account of their loyalty; and third, to those who excel in public schools; it being understood that in all cases, prior claims shall be given to those whose circumstances especially require it. Free Students.

SEC. 7. *Be it further enacted*, That the profits arising from crops on the agricultural farm, shall be annually applied by the Board of Trustees toward paying the necessary expenses of students who are in indigent circumstances; and the Trustees are required to carry on a farm under such regulations as they may prescribe, and require all students who are physically able, to labor on said farm, but not exceeding two hours each day, except in the way of punishment, should the Trustees or Faculty adopt such system of correction of the pupils. Profits from crops. Labor.

SEC. 8. *Be it further enacted*, That the Governor of the State, the Secretary of State, and the State Superintendent of Public Instruction, shall be ex-officio members of the Board of Trustees of said University. Ex-officio members of Board.

SEC. 9. *Be it further enacted*, That the Board of Trustees of said University shall deposit with the Secretary of State, their bond, made payable to the State of Tennessee, with security, approved by the Governor of the State, and the Comptroller of the State, in double the amount of the issue of said bonds to the Trustees of said University, said bond to contain all the details of this Act, and the Congressional enactment making the appropriation, and to bind said Trustees to carry them into effect—all and singly. Trustees' bond.

SEC. 10. *Be it further enacted*, That the Board of Trustees of the East Tennessee University, receiving its foundation and endowments by the munificence of the United States Government, and that of the State of Tennessee, shall always foster, encourage, and inculcate loyalty to both the State and National Governments, as well in the general administration of the Institution, as in the discipline of the pupils; nor shall the University be controlled in the interest of any particular sect or religious denomination whatever. Loyalty to Federal and State governments.

SEC. 11. *Be it further enacted*, That three Trustees from Middle, and three from West Tennessee, be added

Additional Trustees.

to the directory of the Institution; and that William Bosson, John Trimble, and Hon. Joshua B. Frierson, from Middle, and Isaac Roach. David A. Nunn, and Martin T. Ryder, from West Tennessee, be, and are hereby, appointed said Trustees.

Biennial Report.

SEC. 12. *Be it further enacted*, That the Trustees of this Institution shall make a report to each biennial session of the Legislature, giving the number of students, together with a detailed statement of the workings of the Institution, and of receipts and expenditures; and shall, at the same time, secure the bond required to be given in section 9 of this Act, and according to the requirements of said ninth section.

Qualifications.

SEC. 13. *Be it further enacted*, That no citizen of this State, otherwise qualified, shall be excluded from the privileges of said University, by reason of his race or color; provided, that it shall be the duty of the Trustees of said University, to make such provisions as may be necessary for the separate accommodation or instruction of any persons of color, who may be entitled to admission.

Removal of fund.

SEC. 14. *Be it further enacted*, That the Legislature reserves the right to control and manage said fund by whatever legislation may be deemed necessary for its protection and safety; provided, no such legislation shall extend to the removal of said fund from the University of East Tennessee, so long as it shall comply with and observe the requirements of the Act of Congress donating said fund.

SEC. 15. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 16, 1869.

CHAPTER XIII.

AN ACT to Amend An Act passed September 10, 1868, to enforce the laws of the State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the fourth section of An Act passed September 10, 1868, to enforce the laws of

the State, be amended by striking out all after the word "that," in the first line, to the word "the," in the eleventh line.

SEC. 2. *Be it further enacted*, That the fifth section be so amended as to strike out all from "that" in the first line to "it" in the eighth line.

SEC. 3. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 16, 1869.

CHAPTER XIV.

AN ACT to Provide for Private Ways.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That when the lands of any person shall be surrounded or enclosed by the lands of any other person or persons, who refuse to allow to such person a private road to pass to or from his said lands, it shall be the duty of the County Court, on petition of any person, whose land is so surrounded, to appoint a jury of view, who shall, on oath, view the premises, and lay off and mark a road through the land of such person or persons refusing, as aforesaid, in such manner as to do the least possible injury to such persons, and report the same to the next court, which court shall have power to grant an order to said petitioner to open such road, not exceeding fifteen feet wide, and keep the same in repair; and if any person shall thereafter shut up or obstruct said road, he shall be liable to all the penalties to which any person is liable, by law, for obstructing public roads: Provided, the damage adjudged by the jury aforesaid, shall, in all cases, be paid by the person applying for such order, together with the costs of summoning and impanneling said jury: Provided further, That gates may be erected on said roads.

County Court to appoint jury of view.

Liability.

Proviso.

SEC. 2. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 18, 1869.

CHAPTER XV.

AN ACT to Change the Time of Holding the Courts in the Eleventh Judicial Circuit, and for other purposes.

Attorney-General for Sumner County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the 9th section of An Act entitled An Act to provide for an Attorney General for the County of Sumner, passed on the 19th day of February, 1868, be, and the same is hereby repealed.

Williamson County.

SEC. 2. *Be it further enacted*, That the County of Williamson shall be and remain as the said county was before and at the time of the enactment of the said 9th section of said act, a part of the Fourth Chancery Division in the State of Tennessee, and the Chancery Courts in and for said county of Williamson shall be held as now provided by law on the third Mondays in April and October in each year, and the Chancellor of the Fourth Chancery Division shall so hold the same.

Williamson added.

SEC. 3. *Be it further enacted*, That the said county of Williamson shall be added to, and constitute a part of the Eleventh Judicial Circuit and Solicitorial District in the State of Tennessee, and that all laws and parts of laws erecting the Ninth Judicial Circuit so far as the said laws, or parts of laws, make the county of Williamson a part of said Ninth Judicial Circuit, be, and the same are hereby repealed.

Judge and Attorney-General.

SEC. 4. *Be it further enacted*, That the Circuit Courts for the said county of Williamson shall be holden by the Judge of the Eleventh Judicial Circuit on the first Mondays of February, June and October of each year, and the Attorney General for the Eleventh Solicitorial District shall attend said Courts in the same manner and with the same powers as in other Courts of said Solicitorial District.

Circuit Courts for Lawrence.

SEC. 5. *Be it further enacted*, That the Circuit Courts for the County of Lawrence shall be holden in the town of Lawrenceburg on the first Mondays of March, July and November.

Hickman, Lewis—Courts.

SEC. 6. *Be it further enacted*, That the counties of Hickman and Lewis shall be added to the Twelfth Judicial Circuit, and the Circuit Courts for Lewis county shall be holden in the town of Newburg on the fourth Mondays of March, July and November; and for the county of Hickman in the town of Centreville on the first Mondays of April, August and December; for the county of Perry on the second Mondays of April, August and December; for the county of Decatur on the third Mondays of April, August and December;

for the county of McNairy on the fourth Mondays of April, August and December.

SEC. 7. *Be it further enacted*, That hereafter the Circuit Court at Clinton for Anderson county, Tennessee, shall be holden on the first Mondays of January, May and September, instead of on the second Mondays of March, July and November as now prescribed by law. Circuit Court, at Clinton.

SEC. 8. *Be it further enacted*, That the Clerk of the Circuit Court for said county shall issue all processes tested and returnable to the times prescribed in the preceding section, and the said Clerk shall at the usual times of holding said Courts according to existing laws, renew all recognizances in criminal cases, binding the parties to the first Monday in May, 1869. Duties of Clerk.

SEC. 9. *Be it further enacted*, That all laws coming in conflict with this Act are hereby repealed, and this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 19, 1869.

CHAPTER XVI.

AN ACT for the Protection of Farmers and Stock Raisers.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That whenever any horse or other animal is received to pasture for a consideration, the farmer shall have a lien upon the animal for his proper charges, the same as the inn-keeper's lien at common law. Farmer's Lien.

SEC. 2. *Be it further enacted*, That in all cases where the lien for pasturage shall occur in virtue of the first section of this Act, the charges therein named shall be taken to include also the charges for service of any stallion, jack, bull or boar: Provided, the charge for the service of such animal to the female shall have been stipulated and agreed upon between the parties. Proviso.

SEC. 3. *Be it further enacted*, That livery stable keepers shall be entitled to the same lien provided for in section 1 of this Act, on all stock received by them for board and feed, until all reasonable charges are paid. Livery Stable, Lien.

SEC. 4. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 25, 1869.

CHAPTER XVII.

AN ACT to Regulate the sittings of the Chancery Court for Warren County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Chancery Court for the county of Warren shall hereafter be held on the first Mondays of May and November in each year. This Act to take effect from and after its passage.

May and November.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 25, 1869.

CHAPTER XVIII.

AN ACT to regulate the times of holding the various Courts in the Seventh Chancery Division.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter the Chancery Courts of the Seventh Chancery Division and the Circuit Court for the county of Sumner shall be held at the times and places hereinafter designated, and all processes now issued, or hereafter issued, shall be returnable to the places and at the times hereinafter mentioned, and shall be as valid and binding both in law and equity as though no change had been made. The Chancery Court for Jackson county shall be held at Gainsboro on the first Mondays of February and August of each year. The Chancery Court for Macon county shall be held at Lafayette on the third Mondays of February and

Sumner County.

Jackson.

Macon.

August of each year. The Chancery Court of Sumner county shall be held at Gallatin on the third Monday of March and first Monday of September of each year. The Chancery Court for Robertson county shall be held at Springfield on the second Monday of May and the third Monday of September of each year. The Chancery Court of Stewart county shall be held at Dover on the second Mondays of April and October of each year. The Chancery Court for Montgomery County shall be held at Clarksville on the third Mondays of April and October of each year. The Circuit Court for Sumner County shall be held at Gallatin on the fourth Monday of February, the third Monday of June, and the second Monday of November of each year. Sumner. Robertson. Stewart. Montgomery. Sumner.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 26, 1869.

CHAPTER XIX.

AN ACT to Amend the Internal Improvement Act, chapter 151, passed February 11, 1852.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be the duty of each railroad company, to whom has been issued the bonds of the State, at least fifteen days before the interest becomes due from time to time, to pay the amount of such interest, including exchange and necessary commissions, to the Comptroller of the State. R. R. Co's to pay Comptroller.

SEC. 2. *Be it further enacted*, That any Railroad Company failing to comply with this Act shall be subject to all the provisions of section 1101 of the Code.

SEC. 3. *Be it further enacted*, That this Act shall take effect and be in force from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 26, 1869.

CHAPTER XX.

AN ACT to Change the Line between Williamson and Rutherford Counties.

Gideon Riggs.

SECTION 1. *Be it enacted by the General Assembly of State of Tennessee*, That so much of An Act changing the county lines between Rutherford and Williamson counties, passed at the last regular session of this General Assembly, be and the same is hereby repealed, so as to leave Gideon Riggs, with his homestead and lands, assessed to the county of Williamson.

Putnam and Smith Counties.

SEC. 2. *Be it further enacted*, That the county line between Putnam and Smith counties be so changed as to include in Smith county the farm and residence of F. M. Goolsby: Provided, however, that said F. M. Goolsby shall pay all taxes due on said farm to the Revenue Collector of Putnum county for three years after the passage of this bill.

Commissioners to survey County line of Sullivan and Carter.

SEC. 3. *Be it further enacted*, That James G. Smith and William C. Emmett, of the county of Carter, and John Anderson and John Welsh, of the county of Sullivan, be and they are hereby appointed Commissioners to resurvey and establish the line between the counties of Sullivan and Carter, beginning at the corners of Washington, Carter, and Sullivan counties, near the residence of the widow Humphreys, thence with the line between the counties of Sullivan and Carter to the top of the Holston Mountain. The aforesaid commissioners shall be compensated for such labor as may be determined by the County Courts of the counties of Sullivan and Carter, and paid out of the County Treasuries of the respective counties.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 28, 1869.

CHAPTER XXI.

AN ACT to Repeal Section 6 of An Act passed March 14, 1868.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 6 of An Act passed March 14, 1868, to change the line between the counties of Cheatham and Montgomery be, and the same is hereby repealed. Cheatham and Montg'y Counties.

SEC. 2. *Be it further enacted*, That section 9, chapter 246 of An Act passed February 23, 1856, be and the same is hereby repealed. Act of Feb. 23, 1856.

SEC. 3. *Be it further enacted*, That the line between the counties of Bledsoe and Sequatchie be changed so as to include the Tenth District of Bledsoe County in Sequatchie County, beginning at the east corner of the original with the Ninth and Tenth District line of Bledsoe County and the Hamilton County line, running westwardly with the old seat line to Bush Creek, on the top of Cumberland Mountain, so as to include all of the territory contained in the original Tenth District of Bledsoe County in Sequatchie County. Bledsoe and Sequatchie County line changed.

SEC. 4. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 28, 1869.

CHAPTER XXII.

AN ACT to Establish a Special Court at Humboldt, in Gibson County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That there shall be held at Humboldt, a Common Law Court, for the first, second, third, fourth, sixteenth, and twentieth Civil Districts of Gibson County, to be called the Law Court of Humboldt, and to constitute one of the courts of the Fourteenth (14) Judicial Circuit, and be held by the Judge thereof, with common law jurisdiction, original and appellate, over all cases arising at law, within said civil districts, of a civil, commercial, or criminal nature, and that the At- Law Court.

torney General of said Fourteenth (14) Circuit shall attend said court and transact the business appertaining to his office thereat.

Jurisdiction.

SEC. 2. *Be it further enacted*, That the Law Court of Humboldt has general common law jurisdiction, original and appellate, in all cases at law, of a civil or criminal character, arising in the civil districts named in the first section of this Act, and that no resident of said districts shall be sued in the Circuit Court of Gibson County, nor presented or indicted therein, unless the offense was committed in the county out of said districts. Where the court has the jurisdiction of the cause of action, counterparts of writs may issue from said court for joint defendants residing out of said districts.

Who cannot be sued.

SEC. 3. *Be it further enacted*, That except in real actions, where the lands lie in said districts, no citizen of Gibson County residing out of said districts shall be sued in said court, unless he waive his right to be sued in the Circuit Court of said county, by acknowledging service of the writ returnable to said special court.

Powers.

SEC. 4. *Be it further enacted*, That the Law Court of Humboldt shall have all the powers within the local jurisdiction that belong by law to the Circuit Courts of this State.

Grand Jury.

SEC. 5. *Be it further enacted*, That the Judge of said court shall, at each term thereof, order the empanneling of a grand jury, which shall have the same powers within the limits of said districts, and be governed by the same laws other grand juries are.

Sheriff of Gibson.

SEC. 6. *Be it further enacted*, That the County Court of Gibson County, shall, at the first session after each term of the Law Court of Humboldt, designate and cause to be summoned by the Sheriff, or his Deputy, a sufficient number of the resident citizens of the civil districts named in section one of this Act, to serve as jurors in said court; *Provided*, That the jurors for the first term of said court, to be holden on the second Monday in April next, shall be designated by the said County Court at its February Term, 1869.

Clerk of Circuit Court, at Trenton.

SEC. 7. *Be it further enacted*, That the Clerk of the Circuit Court, at Trenton, shall, upon application of either party, in person or by attorney, transfer any cases now pending in the Circuit Court of Gibson County, to the Law Court of Humboldt, where the defendant in such cause is a resident within the jurisdiction of said court last named.

Special Deputy Sheriff.

SEC. 8. *Be it further enacted*, That the Sheriff of Gibson County shall appoint one of the citizens of said county, a Deputy, who shall qualify as other deputies,

and reside within the jurisdiction of the Law Court of Humboldt; attend its sessions and transact all the business thereof, appertaining to the office of Sheriff.

Clerk Circuit Court of Gibson.

SEC. 9. *Be it further enacted*, That the Clerk of the Circuit Court of Gibson County shall be Clerk of said court, and keep an office by himself, or a deputy, at Humboldt, which shall be constantly open for the transaction of business.

Expenses of Court.

SEC. 10. *Be it further enacted*, That the expense of holding the Law Court of Humboldt shall be paid out of the treasury of Gibson County, under the same rules and restrictions as provided by law for the payment of the expenses of the Circuit Court thereof.

When to be held.

SEC. 11. *Be it further enacted*, That the Law Court of Humboldt shall be holden on the second Mondays of April and August, and the first Monday of December.

Chancery Court.

SEC. 12. *Be it further enacted*, That there shall be held at Humboldt a Chancery Court, with equity jurisdiction over all Chancery cases arising within the first, second, third, fourth, sixteenth and twentieth Civil Districts of Gibson County, to be called the Chancery Court of Humboldt, and to constitute one of the courts of the Chancery District No. ——, composed of the counties of Gibson, Madison, Haywood and Dyer, and to possess all the powers belonging to any other Chancery Court in this State.

Clerk and Master.

SEC. 13. *Be it further enacted*, That the Chancellor of the district named in the 12th section of this Act shall appoint a Clerk and Master of the Chancery Court of Humboldt, who shall keep his office at Humboldt.

When held.

SEC. 14. *Be it further enacted*, That the said Chancery Court shall be holden by the Chancellor above referred to, on the first Mondays in June and December.

SEC. 15. *Be it further enacted*, That the corporation of the town of Humboldt shall assume and pay all expenses in furnishing a court room for said court.

Law Court of Chattanooga.

SEC. 16. *Be it further enacted*, That the Law Court of Chattanooga, as the same is now constituted by law, shall consist of three regular terms in each and every year; said terms shall commence respectively on the third Mondays in February, June and October, as now provided by law. Said Law Court of Chattanooga shall continue and remain attached to the Fourth Judicial Circuit of this State, and be holden by the Judge thereof, as now required by law.

May remain open.

SEC. 17. *Be it further enacted*, That each regular term of said Law Court shall remain open from the first day of such term until the Saturday preceding the

next succeeding regular term of said Court, unless all the business upon the dockets of said Court, both civil and criminal, shall in the meantime have been disposed of.

May adjourn over.

SEC. 18. *Be it further enacted*, But the Judge of the Fourth Judicial Circuit or the Judge holding said Court may, and he is hereby, authorized and required to adjourn said Court over at intervals, to any day, so as to enable him to hold the Circuit Courts in said Fourth Judicial Circuit, as now required by law.

Duty of Clerk.

SEC. 19. *Be it further enacted*, That upon the adjournment over of said Law Court of Chattanooga to any future day, as hereinafter provided, it shall be the duty of the Clerk of said Court to issue executions upon all judgments rendered by said Court and not appealed from, and all State and civil process and precepts, as required by law, returnable on the first day of the next regular term of said Court, in the same manner as [if] the said Court had been adjourned to the next regular term but said Clerk may, and it shall be his duty when required by any party in any cause pending in said Court, to issue subpœnas instanter for any witnesses, returnable on the day to which any term of said Law Court may have been especially adjourned.

Subpœnas.

SEC. 20. *Be it further enacted*, When all the business pending in said Court shall have been disposed of, the Judge presiding may adjourn said Court to the next regular term.

Third Civil District.

SEC. 21. *Be it further enacted*, That the Third Civil District in the county of Hamilton shall be, and the same is hereby attached to and included, within the jurisdiction of said Law Court of Chattanooga, and all laws now in force regulating the jurisdiction of said Law Court over the fourth, fourteenth and seventeenth civil districts of said county of Hamilton shall henceforth apply equally to said Third Civil District.

Circuit Court of Hamilton.

SEC. 22. *Be it further enacted*, At the first term of the Circuit Court of Hamilton county, which may be holden after the passage of this act, it shall be the duty of the Judge presiding to order such causes pending in said Circuit Court, between citizens of said Third Civil District, as may not be finally disposed of at said terms of said Circuit Court, to be transferred to the Law Court of Chattanooga for trial and determination, and

State prosecutions.

all State prosecutions for offenses committed in said Third Civil District, and which may not be disposed of at said first term of said Circuit Court, shall in like manner be transferred to said Law Court of Chattanooga for trial, and all recognizances of parties and witnesses in State or criminal causes, arising in said

Third Civil District shall be taken for their appearance at the next regular term of said Law Court of Chattanooga, and all parties summoned as witnesses in any of the causes so transferred shall be bound thereby to appear and testify in said Law Court of Chattanooga, as fully and to the same extent as they were bound to appear and testify in said Circuit Court at Harrison. Witnesses.

SEC. 23. *Be it further enacted*, That all appellants to the Supreme Court, from either of the counties of Fentress or Cumberland, shall have the right and may take their appeals to Knoxville instead of Nashville. Appellants.

SEC. 24. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 28, 1869.

CHAPTER XXIII.

AN ACT to Regulate the Number of Directors of the several Railroads in the State of Tennessee.

WHEREAS, The number of Directors in many of the railroads in this State, especially since the law adding State Directors in equal number to Company Directors, render the body too cumbersome and expensive to many roads: Preamble.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That whenever the Stockholders of any railroad company of this State shall, by a majority vote, signify their desire to reduce the number of Directors in such road, to any number not less than six, such vote shall, in so far as this matter is concerned, be considered and taken as an amendment of the charter of said railroad company, and the officers governing or controling such railroad shall be governed accordingly. Stockholders may reduce Directors.

SEC. 2. *Be it further enacted*, That whenever any road shall have signified their desire for a reduction of Directors, as specified in the preceding section, and shall have carried the same into effect, the Governor of the State shall, upon proper notification, reduce the number of State Directors in proportion to the number fixed by Governor's duty.

the stockholders under the preceding section. This Act to take effect on and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 28, 1869.

CHAPTER XXIV.

AN ACT to Repeal An Act Creating the Office of County Judge in the County of Decatur, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That An Act passed January 31, 1868, creating the office of County Judge, for the county of Decatur and others, be and the same is hereby repealed, so far as the county of Decatur is concerned.

Lincoln County Judge.

SEC. 2. *Be it further enacted*, That An Act to create the office of County Judge for Lincoln County, and for other purposes, passed February 25, 1868, be amended as follows: That in the first section of said Act, after the word "counties," the word "respectively" be added, and that said Act be so amended that the Governor is hereby authorized to order an election in the county of Lincoln, for the purpose of electing a County Judge for said county, and that said election shall be held under the same rules and regulations that are prescribed by law for holding other county elections, and until said election is held and some person elected and qualified as the law directs, he shall appoint some person to hold the office of County Judge, for the county of Lincoln, until his successor is elected and qualified.

Election.

Warren County Commissioners.

SEC. 3. *Be it further enacted*, That all laws, or parts of laws, establishing a Commissioner's Court for the county of Warren, be and the same is hereby repealed.

Obion County Judge.

SEC. 4. *Be it further enacted*, That the law authorizing a creation of a County Judge in Obion County, be and the same is hereby repealed.

SEC. 5. *Be it further enacted*, That this Act shall take effect from and after its passage.

Passed January 29, 1869.

W. F. PROSSER,
Speaker pro. tem. of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

CHAPTER XXV.

AN ACT to Create a Board of Commissioners for the County of Hickman.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That there shall be a Board of Commissioners established in the county of Hickman in this State, to consist of five persons, who, previous to their election or appointment, shall have been residents of the county for which elected or appointed, one year each, to serve for a period of four years, except only in case of appointment, as hereinafter provided, all of whom shall be elected by the qualified voters of said county, on the first Saturday in March, 1873, and every fourth year thereafter, and until the first election shall take place the said Commissioners shall be appointed by the Governor of the State; said Board of Commissioners, when appointed or elected and qualified, shall organize by electing one of their number as President. To be citizens. Election.

SEC. 2. *Be it further enacted*, That whenever it shall become necessary to fill a vacancy, occasioned by the death, resignation or removal of one of said Commissioners, the same shall be filled by appointment of the said Board of Commissioners, but said Commissioner so appointed, shall only hold his office until the next regular election thereafter. Vacancies.

SEC. 3. *Be it further enacted*, That before any Commissioner, appointed or elected under this Act, shall enter upon the duties of his office, he shall give bond, with good and sufficient securities, in the sum of five hundred dollars, to be approved by any Judge of any Court of Record in said county, for the faithful performance of his duties as said Commissioner, and shall likewise take and subscribe an oath of office, such as is now required, by law, for other officers, before any Justice, Judge or clerk, now authorized to administer oaths, and the same shall be indorsed on said bond, which bond and approval, together with the oath, shall be filed and entered upon the record of said Board of Commissioners. And in case any person elected or appointed as such Commissioner, shall fail to give bond, as aforesaid, before or at the next regular meeting of said Board, his office shall be declared vacant, and his successor appointed by said Board. Commissioner to give bond. Oath.

SEC. 4. *Be it further enacted*, That the Board of County Commissioners, for the county of Hickman, shall meet at the county seat of said county on the first Mondays of each month, with full power to transact all Meetings, powers, etc.

business which the County Court of said county may now transact by law. Three or more members may constitute a quorum to do business; in the absence of the President a President *pro tem.* may be elected. The clerk of the County Court of said county shall discharge all of the duties in reference to said Board of Commissioners which he is now required by law to perform for said County Court.

Officers.

SEC. 5. *Be it further enacted*, That all of the powers and duties which are now vested in and performed by the County Court of said county shall hereafter be vested in said Board of Commissioners. No money shall be drawn from the treasury except upon a warrant by the President of said Board of Commissioners, and countersigned by the Clerk of the County Court, and the said Commissioners are hereby vested with all of the powers which, by the Code and other laws of the State, have heretofore been vested in the County Courts.

To control moneys in treasury.

SEC. 6. *Be it further enacted*, That the Magistrates of the aforesaid county are hereby released from all further duties and obligations incidental to their office as members of the County Court.

Magistrates released.

SEC. 7. *Be it further enacted*, That the said Commissioners, or either of them, are hereby authorized and empowered to administer all necessary oaths or affirmations in the discharge of the duties of their office.

Oaths.

SEC. 8. *Be it further enacted*, That any person or party to any matter determined by said Commissioners may appeal from such decision to the Circuit Court of the said county within ten days thereafter, notifying the Commissioners or their attorney at least ten days before the trial term at which such case shall be tried, which notice shall be in writing, and a copy of the same filed with the attorney or President of said Board.

Appeal from Circuit Courts.

SEC. 9. *Be it further enacted*, That the compensation of the President of the Board of Commissioners for the county of Hickman shall be one hundred and twenty-five dollars per annum, and each of the other Commissioners seventy-five dollars per annum.

Compensation.

SEC. 10. *Be it further enacted*, That the Board of Commissioners of the aforesaid county shall assess the taxes of their county, and shall receive for said services the same pay which has usually been paid for such services to the magistrates of said county.

Shall assess taxes, etc.

SEC. 11. *Be it further enacted*, That there shall be constituted a Board of County Commissioners for the county of Van Buren, to consist of the County Court Judge and two Associate Commissioners, whose duty

Commissioners for Van Buren County.

it shall be to hold the Quarterly Courts of said county and do and perform all the duties and obligations imposed by law upon the Quarterly Court as now held by the Justices of said county, the Judge aforesaid to be the presiding officer of said Quarterly Court, whose duty shall be to perform all the duties and discharge all the obligations imposed upon the Judge or Chairman of the County Court, both in and out of Court term, and shall be entitled to the same emoluments of office as financial agent of the county.

Elections and term of office.

SEC. 12. *Be it further enacted*, That said Associate Commissioner shall be elected every two years, on the first Saturday of March, at the time of the regular election for county officers, as now provided by law, each to serve for the period of two years, and commissioned by the Governor; *Provided*, That said Associate Commissioners be appointed and commissioned by the Governor of the State, to serve as follows: One to serve until the first Saturday in March, 1870, and the other until the first Saturday in March, 1872, the period at which the term of each shall expire to be designated in the commissions.

Quarterly Court abolished.

SEC. 13. *Be it further enacted*, That the Justices of said county of Van Buren, are hereby relieved from the duty of holding the Quarterly Courts of said county, and all the duties and powers vested in, and imposed upon them as members of the Quarterly Court, are hereby vested in, and imposed upon the Board of County Commissioners.

Salary of Commissioners.

SEC. 14. *Be it further enacted*, That the salary of said Associate Commissioners shall be seventy-five dollars per annum, to be paid quarterly out of the County Treasury, upon the warrant of the County Judge, countersigned by the Clerk of the County Court.

Jackson County.

SEC. 15. *Be it further enacted*, That so much of this Act as applies to Hickman County shall apply to the county of Jackson; *Provided*, That there shall be but three Commissioners for the county of Jackson, the President to be paid one hundred and fifty dollars, and each of his associates one hundred dollars a year for their services.

Giles County.

SEC. 16. *Be it further enacted*, That sections 11, 13 and 14 of this Act shall extend to the county of Giles: *Provided*, That said Commissioners shall, when appointed, hold their offices until the first Saturday in March, 1872, when their successors shall be elected, and that immediately after their appointment they shall qualify by giving bonds for the sum of five hundred dollars each, to be approved by the Judge of the County Court

of said county, and by taking of the necessary oaths, which shall be placed on file in said Court. Said Associate Commissioners shall each be paid for their services the sum of one hundred dollars annually, and the same pay which is now allowed by the County Court of said county for taking and assessing of the State and County taxes in said county; the County Judge to be paid as now provided by law.

Salary, etc.

Criminal Court of Memphis.

SEC. 17. *Be it further enacted*, That the Criminal Court of the city of Memphis shall hereafter have and possess exclusive jurisdiction of all offenses against the Revenue Laws of this State committed within Shelby County.

Jurisdiction.

SEC. 18. *Be it further enacted*, That the said Criminal Court shall have and possess jurisdiction concurrent with that of the Circuit Court of Shelby County, and of the Municipal Court of the city of Memphis, of all offenses committed within the said county of Shelby against the Revenue Laws of this State; *Provided*, That the change of jurisdiction herein proposed shall not take effect until the first day of March, 1869.

Commissioners of Shelby County.

SEC. 19. *Be it further enacted*, That sections 7, 8 and 9, of chapter 102 of the Private Acts of 1867-8, passed March 14, 1868, be amended so as to read as follows: That the Board of County Commissioners of Shelby County, be, and they are hereby, authorized to issue county bonds to an amount not exceeding four hundred thousand dollars, for the purpose of retiring all unfunded indebtedness of said county. Said bonds shall be payable in not exceeding thirty years from the date of their issuance, and shall bear interest at the rate of six per cent. per annum, payable semi-annually in the city of New York, or at such place as the President of said Board of County Commissioners shall determine, at which place also the principal of said bonds shall be payable.

Bonds.

Denomination, character, etc.

SEC. 20. *Be it further enacted*, That the bonds authorized to be issued by the preceding section, and all bonds issued by the Board of County Commissioners of Shelby County, shall be of such denomination as the President of said Board shall determine, and shall be signed by the President of said Board, and countersigned by the Clerk of the County Court of Shelby County, but the interest coupons shall be signed by the Clerk only, and it shall be the duty of the Clerk of the County Court of Shelby County to preserve in a well bound book a record of all bonds issued by said county, with note of the time and place of payment, and the law under which they were issued, and the purpose of their issuance.

SEC. 21. *Be it further enacted*, That a special tax shall be annually levied by the Board of County Commissioners of Shelby County, for the purpose of paying the interest on the four hundred thousand dollars of bonds authorized by this Act to be issued, and the interest on all bonds issued by the county, and also for the purpose of creating a sinking fund for the final redemption of the entire indebtedness of the county. Special Tax.

SEC. 22. *Be it further enacted*, That the present Commissioners for the County of Coffee shall hold their appointments for four years from the date thereof; any law to the contrary is hereby repealed, and they shall be authorized to charge two dollars each for each day they may be employed in making settlements with any of the officers of said county, in addition to the compensation now allowed them by law.

SEC. 23. *Be it further enacted*, That this Act shall take effect from and after its passage.

W. F. PROSSER,
Speaker pro tem. House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 30, 1869.

CHAPTER XXVI.

AN ACT to Secure the Laborer his Just Reward for Work and Labor done.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall not be lawful for any person that shall be sued for work and labor done, to have a stay of execution on any judgment rendered therefor under twenty-five dollars; but in all such cases, it shall be lawful for the tribunal rendering such judgment, to issue execution thereon at any moment thereafter; *Provided*, That the phrase work and labor done, in the first section of this Act, shall be so construed as to mean and apply only to daily laborers, mechanics and house servants. Stay of execution.

SEC. 2. *Be it further enacted*, That no property in the hands of any debtor shall be exempt from execution for the satisfaction of any judgment rendered under the first section of this Act; and all laws or parts of laws coming within the purview and meaning of this Act, be, No property exempt.

and the same is hereby repealed. This Act to take effect from and after its passage.

W. F. PROSSER, *pro tem.*,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed February 8, 1869.

CHAPTER XXVII.

AN ACT to Protect Stockholders in Railroads in Certain Cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That when any Board of President and Directors of any Railroad Company, which is, or may be incorporated by the laws of Tennessee, or any other officer or officers of such company, whose duty or power it may be by the terms of the charter or By-Laws of said Company, to call the meeting of Stockholders thereof, for the purpose of electing a Board of Directors, Managers, or other officers of such company, shall neglect or fail to make such call of Stockholders on the time and in the manner necessary to have such election at the regular time thereof; or if any such Board of President, Directors, or other officer or officers proper to be elected by the Stockholders of such company, or any portion of them does, or shall assume to hold or exercise their office as such beyond the regular time for which they were elected, then it shall be lawful for any one or more of the Stockholders of said company to call a meeting of his or their company Stockholders therein, by giving notice for the length of time, and the manner prescribed by the company's charter of the object and place of such called meeting, and the Stockholders assembled in pursuance of such call, by one or more Stockholders, shall be competent upon the terms hereinafter prescribed, to elect a Board of Directors, Managers or other officers, as though they had been regularly called for the purpose by the officer or authority, whose duty or power it was so to do; *Provided*, however, that in all meetings herein provided for, there shall be represented directly or by proxy, a majority of all the stock of the company which had been subscribed up to the day on which the regular term expired, for which the incumbent overholding Board of President and Directors were elected;

Calls for Stockholders' meeting.

Term of office.

Stockholders may call meeting in certain cases.

Provisos.

And further, That all costs incident to the calling of such Stockholders, shall be at the individual expense of the party or parties so calling, and not chargeable to the company.

SEC. 2. *Be it further enacted*, That in case there should be more than one call of Stockholder's meeting under the provisions of this Act, and different places should be designated for such meeting in the different calls, some house shall be selected for the meeting in the town or place where the principal office of the company is established, and if such office is nowhere established, then some house in the town, or place where the last like election was held, and subject to this provision as to the place for the meeting; that call designating the earliest period for the meeting allowed by the requirements of the company charter, as to notice therefor shall always control and prevail as to the time for such meeting.

Place of meeting, etc.

SEC. 3. *Be it further enacted*, That when any meeting of Stockholders in any such Railroad Company shall be called under the provisions of this Act, any one or more of the Stockholders making such call, may apply either in open court or at chambers, to the Judge of the Circuit Court wherein is situated the town or place designated for such Stockholder's meeting, by petition duly sworn to and setting forth all material facts; and should there be for the time no such Circuit Judge, or should he from absence or other cause be unable to act, then, in like manner, to the Chancellor of the District in which is the place designated for such meeting, and after five days notice by the delivery of a copy of the petition filed in the premises to the acting President, Secretary, or Treasurer of the company, or to any member of the over-holding Board. If the material allegations of such petition be not directly denied by answer of such over-holding Board of President and Directors duly sworn to, or if such Judge or Chancellor be satisfied of the fact, that such Directors or officers, or any portion of them are holding over beyond the regular term for which they were elected, or that there has been failure to give the required notice under the company's charter for the Stockholder's meeting, to elect their successors at the regular time therefor, then it shall be the duty of the said Circuit Judge or Chancellor conforming to the requirements as to the time and place of meeting provided for in the second section of this Act, upon such application therefor to appoint by order in writing, three competent judges to hold such Stockholder's election, and cause them to be duly sworn, to hold the same

May apply to Circuit Judge.

Chancellor shall appoint Judge to hold Stockholders' meeting.

faithfully, impartially, and in accordance with law at the time and place designated in their appointment, which order of such Judge or Chancellor, together with the oath as taken by such election judges shall be entered by the Clerk upon the minute book of his court, as an order of the court in term or at Chambers as the case may be, and such entry shall be evidence on trial of all causes in this State as other records of same court.

Order to be recorded by Clerk of Court.

Election.

The election shall be held at the time and place designated by the appointing Judge or Chancellor, and he shall also appoint with such election, judges and clerks or other assistants he may deem necessary for properly holding or reporting such election. The clerks or other assistants so appointed, to be duly sworn to faithfully perform the duties as such, and the Judge or Chancellor shall, upon motion, make all necessary orders upon the acting Secretary or other officer in charge of the books, or stock subscriptions of such company, to file with the Clerk of his court, a true and correct list of all Stockholders in the company. The number of shares owned by each, whether subscribed or transferred, and the respective dates of such subscription or transfer, which list shall be for the information of the judges of election in holding the same.

Oaths.

Books and papers.

SEC. 4. *Be it further enacted*, That the election shall be held by the judges herein provided for, in the method and on the terms prescribed for like elections by the charter of the company, for which the same may be held, and if no method be so prescribed, then the election shall be by ballot, and the judges thereof shall make out an accurate list of all Stockholders voting in such election, either directly or by proxy, and of all votes rejected by them, together with a correct statement of the results of such election. which list and statement of results shall be certified by the election judges to the Clerk of the Court, held by the Judge or Chancellor appointing them, and entered upon the minute book of his court for inspection by any Stockholder. The Clerk shall receive for such entry, the compensation established by law for copying record matter; attested transcript of such entry shall be evidence in all courts of this State, as the duly taken depositions of such election judges, but expressly shall not be of the conclusive nature of other records of such court. The judges of the election shall issue certificates of election to the persons receiving the greatest number of votes cast, or the number required by the terms of the company's charter, as the case may be, and such certificates shall entitle the person so certified as elected, to imme-

Election, how held.

Record of meeting.

Compensation of Clerk, etc.

Certificates of election.

diately qualify as Directors, Managers, or other officers accordingly as they were elected, and they shall be and continue such Directors, Managers, or officers of the company for which they may be elected, for the period of time prescribed by such company's charter, reckoning the time to begin upon the day of their election, with all the rights and powers in full permitted to Directors, Managers or officers, as the case may be, by the charter of the company for which they may have been so elected, and the privilege of enforcing and establishing such rights and powers in any manner allowed by the laws of this State. Term.

SEC. 5. *Be it further enacted*, That any Directors, Managers or officers who may be elected under the provisions of this Act, may, upon their organization as a Board of President and Directors or Managers, as required by their company charter, in their name and capacity as such, demand and receive of the over-holding Board of President and Directors or Managers they may have been elected to succeed, and of any and all persons whomsoever, all books, papers, property and effects belonging to the company for which they may have been so elected and proper to be possessed and controled by the Board of President and Directors, Managers or other officers, as the case may be thereof, and if, upon such demand and production of their certificates of election, such over-holding Board, or any portion of them, or any persons whomsoever, having possession thereof, shall refuse or fail to deliver to the parties so demanding, all such company books, papers, property and effects, then the parties so elected may file their petition, duly sworn to, setting forth such demand and refusal, and other material facts, making the proper parties defendants, and praying for the necessary relief in the Circuit Court for the County or Chancery Court of the district wherein their election was made, and immediately upon the filing of such petition, if therein so prayed for, or at any time thereafter, upon motion of petitioners, either in open court or at chambers therefor, and five days' notice to defendants, or any one of them. the Judge or Chancellor of the court in which the same may be filed, shall, upon petitioners entering into bond with security for the proper indemnity of defendants in the amount and condition directed in his sound discretion, cause to be issued and properly directed all writs, used by either, or both, of such Circuit or Chancery Courts, whether such writs be in the nature of writs of attachment, replevin writs of possession or injunction, or of any other character, which may be essential to

May take charge of all papers, books, etc.

Over-holding Board to be prosecuted.

Chancellor to issue writs, etc.

right and justice in the premises, and to this end all necessary power and jurisdiction is hereby conferred upon such courts; such courts may also, in such cases deemed proper, appoint Receivers. Copy of petition, with subpœna to answer, shall be served upon defendants. and the cause, excepting so far as differently provided for herein, be carried on in due course, as required by the rules of practice governing other suits of equitable nature in the court to which the same may be brought, with full right to defendants to raise such questions of law or fact, as may be necessary to contest the right of petitioners to such offices, or sustain their own by reason of any fraud or illegality in the elections thereto.

Power of Courts.

Notice to be given.

SEC. 6. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed February 13, 1869.

CHAPTER XXVIII.

AN ACT to Increase the Compensation of Judges of the Supreme Court, and for other Purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the salary of the Governor and Judges of the Supreme Court shall, hereafter, be four thousand dollars per annum, payable quarterly out of the Treasury of the State, on the warrant of the Comptroller.

$4,000 for Governor and Judges.

SEC. 2. *Be it further enacted*, That the Judges of the Supreme Court shall have the power to appoint and hold a special term upon giving twenty days' notice of the time in some newspaper in the division in which the court is holden, for the trial of such causes as they may deem essential to the public interests.

Special Term of Supreme Court.

SEC. 3. *Be it further enacted*, That in case of the sickness of any one or more of the Judges of the Supreme Court, the Governor shall have the power to commission persons learned in the law to fill the vacancy during the illness of said Judge or Judges.

Vacancies.

SEC. 4. *Be it further enacted*, That the Supreme Court shall take up and try the cases from the different coun-

ties in a circuit in the order in which the counties are named in the Act creating the circuit; and when the business of a county is taken up it shall be argued before passing to the business of another county, unless for satisfactory reasons to the court. Order of trying causes.

SEC. 5. *Be it further enacted*, That this Act shall take effect and be in force from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed February 15, 1869.

CHAPTER XXIX.

AN ACT for the Protection of Sheriffs and Constables.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That no Sheriff or Constable shall be bound to serve any civil process from any other county except the one in which he resides, unless the costs of serving said process be paid in advance. Process for other Counties.

SEC. 2. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed February 16, 1869.

CHAPTER XXX.

AN ACT to Explain the Law on the Subject of Wagons.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That An Act to amend the Revenue Laws of this State, passed on the 12th of March, 1868, shall not be so construed as to compel persons to pay tax on farm wagons, or such wagons as are Farm Wagons exempt from Taxes.

used promiscuously as farm wagons, and no such wagon shall be known as transfer wagons, as demonstrated in aid law. This Act to take effect from its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed February 19, 1869.

CHAPTER XXXI.

AN ACT to Attach the Fractions of Lewis County to their Original Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of the territory of the counties of Maury, Hickman, Lawrence, Wayne and Perry counties as was taken from said counties respectively in the formation of Lewis County, be and the same are hereby attached to the respective counties from which the same was taken.

Line of Perry and Hickman changed.

SEC. 2. *Be it further enacted*, That the line between Perry and Hickman counties be so changed as to begin on the north-west corner of Amos Skelton's lands; thence to the farm of Joseph R. Sutton, leaving him in Hickman County; thence north so as to include the farm of Amos Edwards in Perry County; thence west of north to the south-east corner of the lands of C. C. Dyer, said boundary will include the farms of Samuel Bates, James Rodgers, James Hughes, James Bates, William Whitwell, John Whitwell, the lands of Thos. Kelly, dec'd, and James Hofstedder in Perry County.

Clerk and Register of Lewis and Maury.

SEC. 3. *Be it further enacted*, That the County Court records of said Lewis County shall be deposited by the Clerk of said Lewis County with the County Court Clerk of Maury County. That the Register's Books of said Lewis County shall be deposited with the Register of Maury County for safe keeping, and for copying of any of said records. The Register of Maury County shall be entitled to charge similar fees as per copies from his own Books.

Transfer of suits.

SEC. 4. *Be it further enacted*, That all suits that may have been commenced in said county of Lewis in the Circuit Court, and undetermined, shall be transferred to the Circuit Court of the county from which the fraction was taken, and in which the defendants may

reside, and the records of the Circuit Court of said Lewis County shall be deposited with the Clerk of the Circuit Court for Maury County.

SEC. 5. *Be it further enacted*, That John Hale and Samuel Whitesides be hereby authorized to settle with the Sheriff or Sheriffs of Lewis County, with the County Trustees, Circuit and County Court Clerks and all other persons owing said County of Lewis, and to pay off and discharge any debt or debts due from the county of Lewis, and they are further authorized to sell and dispose of any county property belonging to said county and apply the proceeds to the debts of said county, and they are further authorized to bring any suit or suits that may be necessary to enable said Hale and Whitesides to carry out the provisions of this bill. Com'rs to settle with officers of Lewis

SEC. 6. *Be it further enacted*, That the Act creating the county of Lewis, and all Acts conflicting with this Act be, and the same are hereby repealed, and this Act take effect from and after its passage. Repealed.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed February 19, 1869.

CHAPTER XXXII.

AN ACT to Provide for the Taking of Probate Deeds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 2069 of the Code of Tennessee be, and the same is hereby, so amended as to read thus: The probate or acknowledgement of any deed or other instrument made by or to a Clerk of any County Court may be taken and made before the Judge or Chairman of his court, and the authentication entered on record in his office as other instruments; *Provided*, That the Clerk of the County Court collect and account for the State tax on all such instruments as though the acknowledgement had been taken before him, and that this Act take effect from and after its passage. Sec 2069 of Code amended. Proviso.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed February 19, 1869.

CHAPTER XXXIII.

AN ACT to Authorize A. Gattinger to Index certain Surveys in the old Districts of West Tennessee, and for other Purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee:*, That A. Gattinger is hereby authorized to make out a full index for all the entries and surveys made for the old district of West Tennessee, upon military warrants and certificates, and of the files and certificates, and that he be allowed the same compensation for each case that was given by the Acts of the 13th of December, 1866. chapter 16, for the indexing of grants, and that he be authorized to draw his pay for the same as under said Act, as well as for the books necessary for the same.

Military warrants, etc.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed February 19, 1869.

CHAPTER XXXIV.

AN ACT for the Relief of Telegraph Companies.

SECTION I. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of section 4 of An Act passed March 13, 1868, as relates to Telegraph Companies, be and is hereby so amended and modified that hereafter Telegraph Companies shall take out a semi-annual license on the first of January and July, and pay therefor a tax of two hundred and fifty dollars, which shall be in lieu of all other taxes, whether State, county or municipal.

To take out a semi-annual license only.

SEC. 2. *Be it further enacted*, That all laws in conflict with this Act are hereby repealed, and this Act to take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

CHAPTER XXXV.

AN ACT to Change the Times of holding the Courts in the First Judicial Circuit, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Circuit Courts of the First Judicial Circuit shall be holden as follows, to-wit: In the county of Sullivan, on the fourth Mondays of November, March and July; for the county of Washington, on the first Mondays after the fourth Monday in November, March and July. Sullivan and Washington.

SEC. 2. *Be it further enacted*, That the Circuit Court for the county of Williamson, in the Eleventh Judicial Circuit, be holden in the town of Franklin, in said county, on the second Mondays in March, July and November. Williamson.

SEC. 3. *Be it further enacted*, That all processes heretofore issued, and all that may hereafter be issued, shall be returned to the terms specified in this Act. Processes.

SEC. 4. *Be it further enacted*, That there shall be established for the county of Wilson, a Criminal Court, which shall be held separate and apart from the present Circuit Court as now organized; which court shall have and hold its sessions on the fourth Mondays in February, June and October of each and every year, and continue in session for such time as may be necessary, so as not to conflict with the time of holding other terms of the Circuit Court in the Seventh District of the State, of which District Wilson County is a component member. Criminal Court for Wilson Co.

SEC. 5. *Be it further enacted*, That said Criminal Court shall be held by the Judge of the Seventh Judicial Circuit, or by some other Judge or Chancellor for the State upon an interchange as now allowed by law in other cases, separate and apart from the term of the regular Circuit Court, and at said terms of the Criminal Court as aforesaid, only criminal matters shall be heard and determined. Judge of same.

SEC. 6. *Be it further enacted*, That the grand juries ordered by existing laws, for the existing Circuit Court now held in Wilson, shall continue to come and be qualified and charged, and in all things, be competent, qualified, with same pay, powers and privileges, as are now under existing laws; but all findings by them made of indictments, presentments and infor- Grand Juries.

mations, shall be heard and tried only at the term of the Criminal Court as herein established.

Powers and privileges of Judge.

SEC. 7. *Be it further enacted.* That said Criminal Court and the Judge thereof, shall have all power, privilege and right when sitting, as he now has under existing laws as Judge of the Circuit Court, to order, empannel, and qualify jurors, grand and petit, to enforce order, to enforce the attendance of witnesses, and shall be possessed of all powers, privileges and rights, as are now fixed by law for Judges of the Circuit Courts of the State, and the Criminal Courts of Memphis and Nashville.

Clerk and other officers.

SEC. 8. *Be it further enacted,* That the Clerk of the Circuit Court, and all other officers of the present Circuit Court of Wilson, shall be the Clerk and officers of said Criminal Court, with the same rights, powers and pay, as now allowed by law as clerks and officers of the Circuit Court, but a separate docket of the criminal business shall be kept.

Bonds, recognizances, etc.

SEC 9. *Be it further enacted,* That all recognizances and bonds now taken, and to be taken and entered into by parties charged as criminals, witnesses or otherwise, for appearances and performance of duties and judgments at the Circuit Court, shall continue in force and effect as therein provided, and the Judge presiding in the Circuit Court shall have full power and authority to take new bonds and recognizances, returnable to the Criminal Court as herein established, and upon such days as he may determine and fix.

How regulated.

SEC. 10. *Be it further enacted,* That said Criminal Court shall meet, preside, and be regulated in all proceedings, trials, rights and law as other criminal courts of the State; and the Judge thereof shall have all the rights, privileges and powers, as he now has by existing laws as Circuit Judge over the criminal matter of the Circuit Court.

Grand and other Juries.

SEC. 11. *Be it further enacted,* That there shall come and be empannelled, a grand jury at each term of the Criminal Court as herein established, in the same manner and form as now is summoned for the existing Circuit Court, to be organized in the same way as now provided by law, with same privileges and powers as now declared and with same pay, and also all other juries as may be needed under same rules as now prescribed by law.

SEC. 12. *Be it further enacted,* That no term of said

Criminal Court herein established, shall be held before the fourth Monday in June, 1869. Time to begin.

SEC. 13. *Be it further enacted*, That An Act passed February 25, 1868, creating the office of County Judge for Sullivan County, be so amended as to allow said County Judge six hundred dollars per year for his salary, instead of the salary now allowed by law. Sullivan Co. Judge's salary.

SEC. 14. *Be it further enacted*, That the County Commissioners of Davidson County be authorized to appoint and constitute one additional "Notary Public" for the County of Davidson, who, when appointed, shall keep his office in the City of Nashville. Notary Public for Davidson.

SEC. 15. *Be it further enacted*, That there shall be elected by the qualified voters of Anderson County, a person to be styled the County Judge, who shall hold his office for the term of eight years from and after the date of his commission. Anderson Co. Judge.

SEC. 16. *Be it further enacted*, That the first election for County Judge shall be held at the same places and by the same officers that other county elections are, on the first Saturday of May, 1869, and under the same rules and regulations that are subscribed for other county elections. All subsequent elections, (except for vacancies which shall be held whenever they occur, upon the Governor giving twenty day's notice,) shall be held on the first Saturday in May every eight years thereafter. Elections.

SEC. 17. *Be it further enacted*, That the County Judge shall be commissioned in the same manner as other Judges of the State, and before entering upon the duties of his office he shall take an oath to support the Constitution of the United States and the Constitution of the State of Tennessee, and the oath prescribed in the third section of the Franchise Act of February 25, 1867, and an oath faithfully to discharge the duties of said office. Commission, oath, etc.

SEC. 18. *Be it further enacted*, That the quorum court of said county is hereby abolished, and the Judge shall have and exercise all the jurisdiction and powers now belonging to the quorum courts. He shall preside over the County Court at its quarterly sessions, which shall be held as heretofore, and shall have and exercise the same powers, jurisdiction and authority which now belong or are exercised by the Chairman of the County Court, and shall perform the same duties as are required of said Chairman in or out of said County Court, whether in session or not. Duty and privileges of Judge.

When and how Court to be held.

SEC. 19. *Be it further enacted*, That the County Court to be held by the County Judge, shall hold its regular sessions on the first Monday of each month; *Provided*, That on the Mondays of the quarterly session of the County Court, all the business requiring the presence of all or any of the Justices of the county, shall be first disposed of; after which, the County Judge shall dispose of such other business before the court, as by the provisions of this Act, is directed to be attended to by them, and said court shall sit from day to day, so long as the business thereof may require, and shall have power to keep order by imposing such fines as will effect that object.

Jurisdiction, powers, etc.

SEC. 20. *Be it further enacted*, That the jurisdiction and power of the present County Court over Administrators, Executors, Guardians, Wards, Trustees, Wills, Dowers and partition sales or divisions of lands, and of all testamentary and administration matters or subjects connected therewith, and questions of lunacy are hereby abolished, and the same is hereby transferred and given to the County Court, to be held by the County Judge, who shall have all the jurisdiction, power and authority, now exercised or possessed by the County Court over all these questions, other jurisdiction, power and authority over all those subjects, may be necessary and proper in the exercise thereof; *Provided*, That either party shall have the right of appeal from any judgment, order or decree, or action of said County Court, as is now allowed by the laws of this State in other cases.

Proviso.

Clerk.

SEC. 21. *Be it further enacted*, That the County Court Clerk shall be and continue the Clerk of said County Court, to be held by the County Judge, and shall have all powers, authority and jurisdiction now possessed by him.

Accounting officer.

SEC. 22. *Be it further enacted*, That the County Judge shall be the accounting officer and general agent of the county; and as such, shall have the power, and it shall be his duty:

First. To have the care and custody of all the county property, except such as is by law placed in the custody of other offices.

Second. To control all books, papers and instruments pertaining to his office.

Third. To audit all claims for money against the county.

Fourth. To draw all warrants on the County Trustee.

Fifth. To audit and settle the accounts of the County Trustee, and those of any other collectors or receiver of county revenues, taxes or income, payable into the County Treasury, and those of any other person entrusted to receive or expend any money of the county, and to require said officer or person to render and settle their accounts as directed by law, or the authority under which they may act. Same.

Sixth. To enter in a book to be known as the "Warrant Book," in the order of issuance, the number, date, amount, and name of the drawer of each warrant upon the Treasurer.

Seventh. To keep in a suitable book, an account of the receipts and expenditures of the county in such a manner as to show clearly the assets of the county, and the debts payable to, and by its balancing said accounts annually, to generally superintend the financial concerns of the county. Same.

Eighth. That no money shall be drawn out of the County Treasury, except upon a warrant issued by the County Judge.

SEC. 23. *Be it further enacted*, That the County Judge shall receive the sum of two hundred dollars per annum for his services; and the Quarterly Court of said county is hereby authorized to make additional compensation to the County Judge of said county, if they shall think it necessary, by appropriation for that purpose, or to such amount as said Quarterly Court may deem right, and said Judge shall be paid his compensation, quarterly, out of the County Treasury, upon the Judge's own warrant. Salary of Judge.

SEC. 24. *Be it further enacted*, That hereafter it shall be the duty of the Clerk of the County Court, to keep a docket of all cases to be tried in said Court as are now kept by the clerks of the Circuit Courts. Docket.

SEC. 25. *Be it further enacted*, That it shall be the duty of the Clerk of said court to enter upon said docket, all suits, motions or actions, that may come before said court for trial, and that no suit, motion or action before said court shall be tried except it appear on said docket, and all suits, motions and actions shall be tried in the order that they appear on said docket. Clerk's duty.

SEC. 26. *Be it further enacted*, That the County Judge shall have power at any time, whether in term or in vacation, to appoint an agent or attorney, to take

Public property.

care of the public property, and that he may allow and pay a reasonable compensation for their services, and that when he audits claims he shall issue his warrant upon the Trustee for the same in the manner laid down in the 22d section of this Act.

Failure of Judge to attend.

SEC. 27. *Be it further enacted*, That whenever it shall so happen from sickness or other cause, that the County Judge is unable to attend his court, then the Governor shall appoint some suitable person to hold said court, until the disability is removed.

Powers, etc.

SEC. 28. *Be it further enacted*, That this Court may have and exercise all the powers, functions and immunities, and be subject to all the restrictions of the Knox County Court, except as herein above provided.

Applicable to Scott County.

SEC. 29. *Be it further enacted*, That all the provisions of the preceding fourteen sections creating and regulating the office of County Judge for the county of Anderson, be and the same are made applicable to the county of Scott; *Provided*, Said County Judge for Scott County shall only receive such salary as the County Court at their quarterly sessions may by order allow.

S. Burnett, Tax Collector for Roane Co.

WHEREAS, Samuel Burnett, Tax Collector for the County of Roane, in the year, 1864, collected from various persons State Tax, and failed to collect from others State Tax assessed against them, in consequence of the Act passed 8th of June, 1865; and, Whereas, the said Burnett was not required to make settlement and pay into the State Treasury taxes for that year and the amount collected as State Tax for that year remained in his hands unaccounted for at his death; Now, therefore, in order to enable his representatives to make settlement and for remedy thereof:

Chairman of Roane County Court to settle.

SEC. 30. *Be it further enacted*, That the Chairman of the County Court of Roane County, be, and he is hereby authorized to notify the Administrators of the said Samuel Burnett, deceased, to appear before him and render on settlement a schedule setting forth the name and amount of State Tax collected from each by their intestate for the year 1864, and which remained in his hands unaccounted for at his death, and if the said Chairman shall be satisfied that said list contains a true statement of the amount of State Tax collected from each party, whose names appear on the list as having paid the same, he shall cause the same to be recorded at length by the Clerk of Roane County Court in the Book left in his office for the recording of settlements, made with the Clerk of said county in relation to uncalled for costs, and shall also give to the Admin-

istrators of said deceased Collector a warrant to pay the same over to the County Trustee.

SEC. 31. *Be it further enacted*, That it shall be the duty of said Administrators to pay over said monies to the County Trustee of said county within thirty days after the date of their said settlement, and the County Trustee shall execute his receipt to said Administrators for the same, which shall exempt them and the securities of their intestate from all further liability on account of said fund. Administrator to pay to Trustee.

SEC. 32. *Be it further enacted*, That if in case said Administrators fail and refuse to pay the money to the Trustee within the term hereinbefore specified, or fail and refuse to render the list on settlement with the Chairman after receiving his notice aforesaid, in the event of either of these cases, it shall be the duty of the District Attorney General, at the instance of said Chairman, to take judgment by motion in the Circuit Court of said county in the name of the State for the use of said county, against the Administrators and securities of said deceased Collector for whatever amount they may appear liable for before said court, and the notice or warrant given by the Chairman of the County Court shall be sufficient evidence against them. Attor.-Gen'l to prosecute for failure to settle.

SEC. 33. *Be it further enacted*, That each party whose name appears upon said list as having paid said Tax, may apply to the County Court Clerk for a certificate of the amount paid by him to the Collector and paid into the County Treasury, under the provisions of this Act, upon which the Chairman shall issue his warrant in favor of said claimant to the Trustee, and on presenting said warrant to the County Trustee he shall pay the same out of any monies in the County Treasury not otherwise appropriated. Clerk to issue Certificates.

SEC. 34. *Be it further enacted*, That the fees of the Clerk of the County Court for the services herein to be performed by him shall be the same as that now allowed by law for his services in relation to uncalled for costs paid into the County Treasury. Fees of Clerk.

SEC. 35. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be, and the same is hereby repealed, and that this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 19, 1868.

CHAPTER XXXVI.

AN ACT to Amend Section 3 of An Act entitled "An Act to Change the Line of Hawkins and Hancock Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 3 of An Act passed December 6, 1866, be so amended as to include Martin Kennady, in Campbell County, and the citizens north of said line shall be citizens of Campbell; and the citizens south of said line shall be citizens of Anderson County.

Relieved from Railroad tax.

SEC. 2. *Be it further enacted*, That if this amendment to the aforesaid Act of December 6, 1866, should change the citizenship of any one or more citizens from Anderson County to Campbell County, that this Act be so construed as to relieve any person that is now a citizen of Anderson from the railroad tax of Anderson County.

Overton and Putnam.

SEC. 3. *Be it further enacted*, That the county line between the counties of Overton and Putnam be so changed as to include the tract of land and residence of James Peak, in the county of Putnam.

White and Van Buren.

SEC. 4. *Be it further enacted*, That the county line between the counties of White and Van Buren be so changed as to include Edward Blankenship's mill in the county of Van Buren.

16th and 17th Districts of McMinn.

SEC. 5. *Be it further enacted*, That the line between the Sixteenth and Seventeenth Districts of McMinn County be so changed as to include the widow Guffy's farm, on Hiwassee river, in the Southwest District, then run with said river to the present line of the Seventeenth District, including the land of the river in the Seventeenth District; and all officers now serving for the Seventeenth District shall also serve for the part added to said district.

Wayne and Decatur.

SEC. 6. *Be it further enacted*, That the county line between the counties of Wayne and Decatur be changed so as to include all that portion of Wayne County, lying west of the Tennessee river, in the county of Decatur, and this Act to take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 19, 1869.

CHAPTER XXXVII.

AN ACT to Bring on the Elections of the Judges, Chancellors and Attorneys-General.

WHEREAS, Under the Constitution of the State of Tennessee, it is the duty of the Legislature to provide for the elections of the Judges, Chancellors, etc., in cases of vacancies, and the Legislature being of opinion that elections should now be had and held; therefore, Preamble.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Commissioners of Registration in the various counties in said State, on the fourth Thursday in May, 1869, shall open and hold an election in their respective counties throughout said State, for the purpose of electing the Judges of the Supreme Court in and for said State; one from the Eastern Division; one from the Middle Division, and one from the Western Division of said State; and also an Attorney-General and Reporter for the State; and also at the same time said Commissioners of Registration shall open and hold elections throughout the State in each Judicial Circuit, and in each Chancery District and Special and Criminal Court, where the Judges, Chancellors and Attorneys-General are now holding their respective offices by appointment from the Governor, for the purpose of electing a Judge of the Circuit Court in each Judicial Circuit where the Judge now presiding is holding under appointment; a Chancellor in each Chancery District where the Chancellor now presiding is now holding by appointment; a Judge for each Special Criminal Court and Attorney-General where the Judge and Attorney-General are now holding by appointment, and an Attorney-General in each Judicial Circuit where the Attorney-General is now holding by appointment, and that said Commissioners of Registration be, and each of them is hereby required to give notice of said election in writing, at the court house door in their respective counties, for twenty days previous to the time of said elections, as now required by law, and shall make reports and returns of said election. Election 4th Thursday in May. Who to elect. Notice of election.

SEC. 2. *Be it further enacted*, That in any case where there is no Commissioner of Registration, the Sheriff of the county shall open and hold the election provided for in this Act; and in the event of no Sheriff, the Coroner of the county shall open and [hold] said election. Sheriffs.

SEC. 3. *Be it further enacted*, That the Secretary of State be required to furnish each Commissioner of Registration, Sheriff, or Coroner, as the case may be, a copy Secretary of State.

of this Act; and he shall also cause the same to be published in one newspaper in each of the Grand Divisions of the State; and that this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 23, 1869.

CHAPTER XXXVIII.

AN ACT to Liquidate the State Debt Contracted in Aid of Railroad Companies in the State of Tennessee.

Preamble.

WHEREAS, under the General Internal Improvement Laws of the State, passed from time to time, aid has been granted to various Railroad Companies by the loaning of the six per cent. bonds of the State, to enable said companies to iron, equip, build and bridge, and for other purposes, which is now secured to the State by a first mortgage or lien on the franchise property and fixtures of respective Railroad Companies; and,

Same.

WHEREAS, it is desirable for the general welfare of the State, that the State shall be reimbursed such amounts as have been advanced to the different Railroad Companies as fast as may be practicable; therefore,

Repayments.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the respective Railroad Companies, or either of them that have created indebtedness to the State, are hereby authorized to repay any amount of the principal of such indebtedness as they have respectively created in the bonds of the State, in such amount, and at such times, as may be practicable;

Proviso.

Provided, however, that nothing in this Act shall be so construed as to release said Railroad Companies from any lien which the State may have on the same for any unpaid interest now due on said bonds of the State authorized to be surrendered by this Act.

May issue bonds.

SEC. 2. *Be it further enacted*, That any Railroad Company or Companies repaying any indebtedness due the State under the provisions of this Act, are authorized to issue bonds of equal amount and denomination with the bonds of the State paid and delivered up for cancelation, as hereinafter provided, which said Railroad bonds so issued in lieu of any equal amount of

State bonds, shall be certified to by the Comptroller and entered in a book to be kept for that purpose with date, number and amount, and shall be a lien *pro rata* in amount, and of equal validity and effect with the unretired part of the State indebtedness upon such Railroad and all its property, franchises, fixtures and material.

SEC. 3. *Be it further enacted*, That in order to facilitate the Railroad Companies that may wish to avail themselves of the provisions of this Act in repaying the indebtedness due to the State, respectively, they, or any of them, are hereby authorized to consolidate their property in whole or in part with other Railroad Companies, and issue bonds and stock as provided for in the second section of this Act, and may adopt the corporate franchise of either of the roads as the stockholders may elect, and each Railroad Company paying its indebtedness, and such Railroad Companies as may consolidate under the provisions of this Act, are hereby authorized to determine by a vote of the stockholders of said Company or consolidated Companies, the number of Directors of such Company, and elect the same under the new organization, and that the said Directors, so elected, shall, according to the by-laws and rules of said corpor. tion, elect one of their number President of said Company.

R. R. Co's may consolidate.

Election of Directors.

SEC. 4. *Be it further enacted*, That the Comptroller of the State shall receive from the Railroad Companies, or any of them, bonds of the State in such amounts as may be presented and cancel the same in the presence of the Officer or Agent of the Railroad Company paying therein, and execute to said Railroad Company or Companies, duplicate receipts for the amount and number of said bonds so paid in, and it shall further be the duty of the Comptroller to certify on the bonds of any Railroad Company or Companies repaying indebtedness due to the State, that the same has been paid, and that the so certified [bonds] are secured by first mortgage; *Provided*, that said Railroad Companies shall liquidate their indebtedness, prior to the maturity of the bonds that have caused said indebtedness; *And be it further provided*, that said bonds when executed by the respective Railroad Companies or either of them, shall be deposited with the Comptroller of the State, whose duty it shall be to deliver said bonds, or any number of them to the President and Directors of the Company, on the deposit by said President and Directors or authorized Agent, an equal amount of the six per cent. bonds of the State of Tennessee, with unpaid coupons attached, and the Company's first mortgage bonds, authorized to

Comptroller.

Provisos.

be issued by this Act shall have no validity or value, except the Comptroller's certificate is affixed on the face of each bond, that said bond is executed and issued and by virtue of law takes the place of a bond of the State, and is a first mortgage bond.

Comptroller's certificate.

SEC. 5. *Be it further enacted*, That the Comptroller shall be entitled to a fee of one dollar on each thousand dollars of the bonds certified as aforesaid, to be paid by the Railroad Company for which the same is done, and it shall be lawful for the Comptroller to discharge the duties imposed by this Act, by and through an Agent in the city of New York, and all the provisions of this Act shall attach to and become a part of the charter of any Railroad Company or Companies acting under it.

Comptroller's fees, etc.

SEC. 6. *Be it further enacted*, That by and with the consent of the Board of Directors of any Railroad Company in this State under the General Improvement Law, passed the 11th of February, 1852, and all the amendments thereto, that any person or corporation may, by paying the indebtedness of such Railroad Company to the State in the bonds of the State, as provided for by law, be, and they are hereby, substituted and entitled to all the liens against said Company for the payment of said debt that the State had or has by law, and the Governor and Secretary of State shall give such party or parties paying such indebtedness a certificate, showing the facts, which shall be evidence against Company of such indebtedness to said individuals or corporation.

To have lien.

Certificate.

SEC. 7. *Be it further enacted*, That any person or persons may, with the consent and approbation of any Railroad Company which is indebted to, and for which the State of Tennessee holds a lien, pay the said debt so far as the State is concerned in the bonds of the State or any coupons of bonds at par, and the person or persons so paying the debt of any Railroad Company with the consent of such Railroad Company, shall, upon filing with the Treasurer of this State, the written assent of said Railroad Company, under the corporate seal of said Railroad Company, be entitled to have and hold all the lien or liens which the State of Tennessee had or has upon said railroad or its property, and shall have the same right to enforce the same, which the State of Tennessee had, the object and intent, being to place the person or persons so paying with the consent of said Railroad Company, in the same position and with the same rights which the State of Tennessee, had previous to and before the said payment, and with full power to enforce the same.

Any person may pay indebtedness.

To have lien.

SEC. 8. *Be it further enacted*, That any person or persons who may, with the consent and approbation of any Railroad Company, pay any part or portion of the indebtedness of such company as provided in sec —, shall have, hold, and subrogated in all the rights, privileges and lien or liens of the State, to the extent of, and in proportion to the amount of such indebtedness, with the same rights and privileges the State now has to the extent of such payment or payments; *Provided*, The passage of this Act shall not decrease the lien of the State upon any railroad of the State, until the entire claim of the State is fully liquidated, or affect the interest of the present bondholders of the State; *Provided*, That Railroad Companies which have issued second mortgage bonds, availing themselves of the provisions of this Act, shall file with the Comptroller, bonds of the same series as those loaned to such company, for which the State holds a first mortgage lien; *Provided*, The bonds to be issued by the company under the provisions of this Act, shall not have a longer time to run than the bonds of the State thus released and canceled.

Rights and privileges same as State.

Provisos.

SEC. 9. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 25, 1869.

CHAPTER XXXIX.

AN ACT to Change the County Line between the Counties of Lawrence and Giles, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between Lawrence and Giles counties, where it runs through the lands of W. H. Hagan and James W. and William H. Hagan and Sinia Garner, on the waters of the clear fork of Sugar Creek, be so changed as to include all of said lands in Lawrence County.

Hagan and Garners' lands.

SEC. 2. *Be it further enacted*, That the county line of Henderson be so changed as to attach the portions of

Henderson and Madison Counties.

said county Southwest of the Forked Deer River to Madison County, beginning at the Southwest corner of Henderson County, running east with the McNairy County line to the Forked Deer River; thence with said river to the county line between Henderson and Madison counties. The taxes in the portions of said county due shall be paid to the Tax Collector of Henderson County.

Benton and Carroll.

SEC. 3. *Be it further enacted*, That the 4th section of An Act passed December 12, 1867, attaching that portion of Benton County that lies Southwest of Sandy River to Carroll County, be and the same is hereby repealed.

Emery Manf. and Trans. Co.

SEC. 4. *Be it further enacted*, That An Act passed February 29, 1856, granting a charter under the name of the Emery Manufacturing and Transportation Company, to clear out, and by means of locks and dams, and make Emery River navigable, be and is hereby repealed, and that the dams heretofore unlawfully erected across said river by said company be opened by gate or otherwise, from March to the 15th of May of each year, or removed.

Act forming Grant County amended.

SEC. 5. *Be it further enacted*, That the first section of An Act passed February 24, 1852, entitled "An Act for the formation of Grant County," is hereby so amended as to read as follows: That the formation of a new county, to be called the county of Grant, is hereby authorized, upon the conditions hereinafter prescribed out of portions of the counties of Madison, Gibson, Carroll and Henderson, beginning on the north boundary line of Gibson County, five miles west of the Northeast corner of said county; running thence south to within twelve miles of Jackson, the county seat of Madison County; thence eastward with the north fork of Forked Deer River to the crossing of the Madison County line; thence east with said line to the Henderson County line; thence east further three miles into Henderson County; thence north to Rutherford and fork of Obion River; thence down said river to John B. Terry's; thence north to a point on the Mc-Lemoreville and Trenton Road, twelve miles from Huntingdon; thence north eastwardly to a point on the south fork of Obion River, twelve miles from Huntingdon; thence down said river to the beginning; and that Shims Cook, J. C. McCullum and Samuel Browning, of Carroll, James Lanier, of Henderson, R. D. Boon, of Madison, F. G. Goodman, Robert Nesbitt and Abram Carnes, of Gibson, be and they are hereby appointed Commissioners, who shall, as soon as practicable, make,

Boundary line.

Commissioners to survey line.

or cause to be made, an accurate survey of the said new county, and if it shall appear that the above boundaries contain three hundred and fifty square miles and a voting population of ——, and do not reduce any one of the above named old counties below six hundred and twenty-five square miles, nor run within less than twelve miles of any county seat of said old counties, then said Commissioners may proceed to the organization of said new county; or if the lines herein established can be so altered as to fulfill the aforesaid constitutional conditions, then said Commissioners are authorized to make, or cause to be made, such survey, and proceed to the organization of said new county. Organization.

SEC. 6. *Be it further enacted*, That section second of said Act of the 24th of February, 1852, be and the same is hereby repealed, and that the Commissioners hereinbefore appointed, shall, before entering on the discharge of their duties, take an oath before some Justice of the Peace, faithfully to discharge their duties and observe the provisions of this Act, and the one it is intended to amend. Act of 24th Feb. repeald.

SEC. 7. *Be it further enacted*, That section three of said Act of the 24th of February, 1852, be so amended as to read, that whenever, upon a survey, as provided for in the first section of this Act, it shall be found that said county can be constitutionally established, the said, Commissioners shall proceed to the organization thereof and for that purpose shall have all the powers and be subject to all the restrictions conferred on the Commissioners for the county of Crockett, by the 3d, 4th, 5th, 7th, 8th, 9th, 13th and 15th sections of An Act passed December 20, 1845, entitled "An Act to establish the county of Crockett," etc., and that the provisions of the aforesaid sections shall be applicable, in all respects, to the said county of Grant, except as to the time of election of officers mentioned in section 4, 7 and 8 of said Act, and that the elections contemplated by section 4 of said Act, and be held on the day of 1869. Powers, etc., of Commissioners.

SEC. 8. *Be it further enacted*, That section 4 of the said Act of which it is amendatory, be so amended as to strike out the words "Lavinia, in Carroll County," and insert in lieu thereof the words "Milan, Gibson County." Milan, Gibson.

SEC. 9. *Be it further enacted*, That section 5 of said Act be, and the same is hereby repealed. Sec. 5 repealed.

SEC. 10. *Be it further enacted*, That the Surveyor to be appointed by said Commissioners, shall, before entering upon the discharge of his duties, take an oath before some Justice of the Peace, faithfully to discharge his Surveyor's oath.

duties, and that his survey be spread on the minutes of said County Court of Grant County, at its first term.

County site.

SEC. 11. *Be it further enacted*, That the Commissioners appointed herein, shall be authorized to select a suitable county seat for said county of Grant; in doing which the intent and convenience of the people shall be regarded by them.

Terms of officers.

SEC. 12. *Be it further enacted*, That the Commissioners appointed by this Act, shall have all the powers conferred on the Commissioners of Crockett County by the 7th section of An Act passed January 25, 1866, organizing Crockett County, and for other purposes; and the county officers to be elected, as herein provided, shall hold their offices, as provided in said 7th section of said Act of the 25th of January, 1866.

Powers.

SEC. 13. *Be it further enacted*, That the Commissioners herein appointed, are hereby authorized to exercise all the powers necessary and proper for the complete organization of said county of Grant.

Courts.

SEC. 14. *Be it further enacted*, That the county of Grant, when organized under the provisions of this Act, the Act of which it is amendatory, shall be attached to the (——) Judicial Circuit and to the (——) Chancery Division, and the courts shall be held as follows: The Circuit Court on the , and the Chancery Courts on the

Wilson and DeKalb.

SEC. 15. *Be it further enacted*, That the county line between Wilson and DeKalb counties, which now run through the tract of land and farm of two hundred and sixty-eight and a half acres of land on Pertel's Creek, of M. M. Brien, Sr., be so changed as to embrace and include the whole of said tract of land and farm in DeKalb County.

SEC. 16. *Be it further enacted*, That this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 25, 1869.

CHAPTER XL.

AN ACT to Consolidate the Entry-Taker's and Surveyor's Offices of Henderson County, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Surveyor of Henderson County shall perform all the duties and functions of the office of Entry-taker in addition to the office of Surveyor of said county, and be allowed the same fees that is now allowed by law to Entry-takers and Surveyors of this State. Fees, etc.

SEC. 2. *Be it further enacted*, That the provisions of this Act shall be extended to the offices of Surveyor and Entry-taker of Van Buren County. Van Buren.

SEC. 3. *Be it further enacted*, That the office of Register and Entry-taker of Dyer County be consolidated, and that the Register of said county discharge the duties of both offices. Dyer.

SEC. 4. *Be it further enacted*, That the Entry-taker and Surveyor for the several counties in this State shall hereafter keep their office books and papers at the county seat of their respective counties. Books and papers.

SEC. 5. *Be it further enacted*, That the Surveyor and Entry-taker for each county where there is not now a complete index to the books in their office, [to] immediately prepare a complete index to all such books as have not now a complete index. To make Indexes.

SEC. 6. *Be it further enacted*, That it is hereby made the duty of the County Courts of the several counties in this State, to see that this Act is strictly complied with, and to pay the Entry-taker and Surveyor a reasonable compensation for their services in preparing the index provided for in this Act. Co. Courts.

SEC. 7. *Be it further enacted*, That if any Entry-taker or Surveyor shall fail strictly to comply with the provisions of this Act, they shall be guilty of a misdemeanor, and on conviction shall be subject to a fine of not less than twenty-five nor more than fifty dollars at the discretion of the Court, and it is hereby made the duty of the Attorney General for the State to prosecute all violations of this Act, *ex officio*. Misdemeanor.

SEC. 8. *Be it further enacted*, That the Judge of the County Court of Sumner County be, and he is hereby required to do and perform, in addition to his other duties, all the duties as required by law to be done and performed by the President of the Board of Commissioners of said county, and the office of President of said Board of Commissioners of said county is hereby Sumner Co. Court Judge.

abolished, and all laws and parts thereof, in so far as they conflict with the provisions of this section, be, and the same are hereby repealed.

Union City Common Law Court.

SEC. 9. *Be it further enacted*, That there shall be held at Union City a Common Law Court for the first, second, third, thirteenth, seventh and eighth civil districts of Obion County, to be called the Law Court of Union City, to constitute one of the courts of the Sixteenth Judicial Circuit, and be held by the Judge thereof, with all the power, right, jurisdiction and privileges granted to the Court established at Humboldt. Said Court shall be held on the third Mondays in April, August and December.

Chancery Court for same.

SEC. 10. *Be it further enacted*, That there shall be holden a Chancery Court at Union City, with Equity jurisdiction of all causes arising within the first, second, third, thirteenth, seventh and eighth civil districts of Obion County, to be called the Chancery Court of Union City and constitute one of the Courts of the Ninth Chancery Division, and to possess all the powers belonging to any of the Chancery Courts in the State.

Chancellor.

SEC. 11. *Be it further enacted*, That said Chancery Court shall be holden by the Chancellor of the Ninth Chancery Division on the fourth Mondays of April and October, and that said Court have all the powers and perform all the duties granted to and imposed upon the Judge of the Chancery Court at Humboldt.

Liabilities, etc.

SEC. 12. *Be it further enacted*, That the town of Union City shall be subject to the same liabilities and obligations that are assumed and imposed upon the town of Humboldt to the courts established there, and that the County Court of Obion County shall perform the same duties with regard to the courts established at Union City that are imposed upon the County Court of Gibson County, with regard to the Court established at Humboldt.

Commissioners of Giles County.

SEC. 13. *Be it further enacted*, That the Board of County Commissioners of Giles County are hereby authorized to fix an additional voting box in the town of Pulaski, Tennessee, so that all the voters of said county may be permitted to vote at elections he d there.

To appoint Jailer.

SEC. 14. *Be it further enacted*, That the Board of County Commissioners of Giles County be, and they are hereby authorized and empowered to appoint a Jailor for said county, who shall when so appointed, take an oath of office such as other county officers are required to take, to be administered by the County Judge of said county, and after being thus qualified, the Sheriff of said county shall upon demand, turn over the

jail and prisoners together with all of the property belonging thereto, the Jailor thus appointed and qualified taking his receipt for the same.

SEC. 15. *Be it further enacted*, That said Jailer when appointed and qualified, shall be required to do and perform such duties as are now by law imposed upon the Sheriff of said county, and shall receive the same pay for said duties as the Sheriff now receives. Duties, pay, etc.

SEC. 16. *Be it further enacted*, That all laws conflicting with this Act be, and they are hereby repealed.

SEC. 17. *Be it further enacted*, That the 11th and 17th sections of An Act passed March 12, 1868, creating a Board of Commissioners for the counties of Humphrey and Benton, be, and the same are hereby repealed. Comm'rs of Humphreys repealed.

SEC. 18. *Be it further enacted*, That J. T. Lenoir, John Coldwell, William Lenoir, N. J. Jarrett, Dr. B. B. Lenoir, Israel P. Lenoir, are hereby created a company, to be entitled the American Mining and Manufacturing Company, and they are hereby incorporated with a capital stock of fifty thousand dollars, which may be increased from time to time, to such sum as the Board of Directors may determine, not to exceed one million of dollars, the capital stock to be divided into shares of fifty dollars each. Amer. Min'g and Manuf. Co.

SEC. 19. *Be it further enacted*, That the affairs of said company shall be managed by a Board of Directors, to be chosen from the stockholders of said company, consisting of not less than five nor more than fifteen Directors, who shall hold their respective offices for one year, or until their successors are elected; said election shall hereafter be held on the first Monday in June, in each and every year, or at such time as the Directors may appoint, at which each stockholder, by himself or by his properly appointed proxy, shall be entitled to one vote for each share of stock held by him at the date of said election, provided that the transfer books of stock shall be closed at least ten days prior to such election. Said Directors shall choose one of their number President, and shall elect such other officers and agents as they may deem necessary. How managed. Elections, etc.

SEC. 20. *Be it further enacted*, That said company shall have power, and they are hereby authorized to purchase or lease coal, oil, mineral or other lands, to erect buildings and machinery for the purpose of smelting, refining and purifying minerals and oil, and General powers and privileges.

for the manufacturing of fabrics of wool, cotton, hemp, flax, paper, cooperage, and machinery of all kinds and other articles of commerce; to receive all or any of the foregoing raw or crude materials, smelt and refine, or manufacture on the shares or otherwise; to borrow money when the interests of the company shall require, and to give their acknowledgements for the same in such form as the Directors of said company may deem best suited for the mutual protection and convenience of the parties and company.

Where may open offices.

SEC. 21. *Be it further enacted*, That the said company is hereby authorized to open offices for the transaction of business in each of the counties of Polk, Cumberland and Morgan, and at such other points as the interests of the company may require under separate issues of the stock, which issues shall be liable only for the contracts of such office, and said company may extend said mining, manufacturing and other business to any portion of this State, wherever the Directors may deem advantageous.

By-Laws, Rules, etc.

SEC. 22. *Be it further enacted*, That the Board of Directors shall make all by-laws, rules and regulations for the transaction of business, and managing the affairs of the company, as may be necessary and proper; *Provided*, Such by-laws are not in conflict with the public laws of this State and the United States.

Act of 10th Sept., 1868.

SEC. 23. *Be it further enacted*, That the first section of An Act passed at the extraordinary session of the Legislature on the 10th day of September, 1868, to preserve the public peace, be amended by striking out all after the word "disguise" in the sixth line to the word "on" in the eighth line.

Repealed.

SEC. 24. *Be it further enacted*, That section 18 of the Act of March 2, 1858, chapter 97 be, and the same is hereby repealed.

Jasper Male and Female Institute.

SEC. 25. *Be it further enacted*, That the consolidation of the two schools by the Trustees of the Sam Houston Academy, and the Trustees of the Jasper Female Institute, and the subsequent action of the Trustees of the Jasper Male and Female Institute, under and by virtue of the Act of February 22, 1856, chapter 118, section 19 to 24 inclusive, (having application thereto,) be, and the same is hereby legalized, made valid, and confirmed.

SEC. 26. *Be it further enacted*, That the Board of Mayor and Aldermen of the town of Tullahoma, Cof-

fee County, shall have authority for offenses committed against the laws and ordinances of said town, to compel persons so convicted (and enable to secure such fine and costs according to law,) to work the same out upon the streets, or other places as the said authorities may see proper, and at such per diem as the said Mayor and Aldermen shall fix by law; *Provided*, Such per diem shall not be less than fifty cents for each day's labor performed. Mayor and Aldermen of Tullahoma.

SEC. 27. *Be it further enacted*, That the said corporate authorities shall have authority to compel persons owning lots fronting on any street to compel the same to build side walks in front of such lots, when, in their opinion, necessary for the welfare of the citizens of the town; and in case of failure by such parties or property holder or owners, to build said walks, and after proper notice has been given such owner, the said corporate authorities shall have power and authority to build such walks and charge the same against the said property, to be collected as the law provides for the collection of taxes. Sidewalks of same.

SEC. 28. *Be it further enacted*, That the said Mayor and Aldermen, when sitting as a Board for the transaction of business, shall not pass any act binding upon the citizins of said town, until the same shall have been presented at one meeting and lay over until the next meeting. Laws.

SEC. 29. *And be it further enacted*, That sections 19 and 20 of An Act passed June 20th, 1867, entitled "An Act to Create a Board of Commissioners for the County of Hickman, and for other purposes," be so amended as the bonds therein authorized to be issued by Shelby county shall be of the denomination of one thousand dollars, and shall all be sealed with the seal of Shelby county, and shall all be made payable in the city of New York, at such place as the Board of County Commissioners may designate, at which place the interest coupons shall be made payable. Shelby Co. Bonds.

SEC. 30. *Be it further enacted*, That a corporation is hereby constituted under the name and style of the Ooltawah Educational Company, and in that name shall be capable in law of sueing and [being] sued, pleading and being impleaded, and of buying, holding, improving, disposing of, controling and protecting suitable grounds and buildings for educational purposes, in or near Ooltawah, Tennessee; and, also, capable of securing or collecting gifts, grants, or bequests made for the purpose of education in said institution. Ooltawah Educational Co.

Trustees.

SEC. 31. *Be it further enacted*, That J. S. Ragan, Wm. H. Crowder, Thomas H. Roddy, A. H. Berryhill, J. M. Seagle, G. B. F. Guthrie, Z. T. Wadkins, A. Howard and Alex. McKnabb, and their successors in office, shall constitute the Trustees of said corporation, and they shall have power to create by receiving gifts, grants, bequests or subscriptions, a capital stock of fifty thousand dollars, to be divided into shares of twenty-five dollars each. They may adopt a corporate seal and such by-laws and regulations as they find necessary, or change the same at pleasure, so as not to conflict with the Constitution of the State and of the United States.

By-laws, etc.

Election of Trustees.

SEC. 32. *Be it further enacted*, That whenever one thousand dollars of stock shall have been subscribed, said Trustees may, at their discretion, call a meeting of the stockholders, who shall proceed to the election of nine Trustees to conduct the business of the company, and said Trustees shall be elected annually thereafter at such time as may be agreed upon; elect such officers as they may think proper for the term of their administration; prescribe their duties and obligations, and do all things necessary to give success to the Institution or the cause of education.

SEC. 33. *Be it further enacted*, That this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 25, 1869.

CHAPTER XLI.

AN ACT to Protect County Revenue, and for other purposes.

Trustees' Bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be the duty of the County Courts or Board of County Commissioners in this State, to examine into the solvency of the County Trustee's bond, and if found to be insufficient as provided by law, it shall be the duty of the Court to notify him of the fact, and require him to give new or additional security in such sum as may be fixed upon by the Court sufficient in their judgment to cover the Revenue of the County, and if the required bond or security be not given

on or before the ensuing term of the Court, then it shall be the duty of the Court, and it shall have power to declare the office vacant, and to elect or appoint his successor, who shall be required to enter into bond with good and sufficient securities, for the remainder of the term for which said Trustee was elected.

SEC. 2. *Be it further enacted*, That in all counties of this State where there is a County Judge, and where no Board of County Commissioners have been established, it shall be the duty of such County Judge to vote either in person or by proxy, all the railroad stock owned by the county of which he is Judge in all elections held or made by the stockholders of such railroad. County Judges to vote R. R. stock.

SEC. 3. *Be it further enacted*, That all laws in conflict with the provisions of this Act, be, and the same are hereby, repealed, and that this Act take effect from and after it passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 27, 1869.

CHAPTER XLII.

AN ACT to Authorize Taking of Depositions in Certain Cases.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That in all civil suits in the Circuit and Chancery Courts of this State, in which either plaintiffs or defendants may desire to introduce the testimony of any female, the party to said suit shall be, and is hereby required to take the deposition of such female before some one authorized under existing laws to take depositions, which, at the request of such witness, shall be the Justice or other authorized person most convenient to such witness, and the parties taking depositions under this Act, shall proceed as prescribed under the laws now existing in reference to taking depositions, and all depositions thus taken, may be read as evidence in the suit in reference to which the same may be taken; and the litigating parties to such civil suits shall have no power to compel female Affidavits of females. Evidence.

witnesses to attend and give evidence in court, unless upon sufficient cause shown, and the order of the court therefor.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 27, 1869.

CHAPTER XLIII.

AN ACT to Amend an Act Passed March, 14th, 1868, to change the Lines Between the Counties of Smith, Putnam and DeKalb, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Putnam and Smith be so changed as to include the residence and lands of J. C. Fletcher, O. P. Apple, H. B. Clark and F. M. Goolsby, in the county of Smith.

Taxes.

SEC. 2. *Be it further enacted*, That the persons transfered from Putnam to Smith County by the first section of this Act, shall pay their State and County tax for the years eighteen hundred and sixty-nine and seventy in the county of Putnam.

H. B. Clark.

SEC. 3. *Be it further enacted*, That the portion of H. B. Clark's lands now in Jackson County be, and the same is hereby attached to the county of Smith, under the provisions of this Act.

Giles and Lawrence.

SEC. 4. *Be it further enacted*, That the county line between the county of Giles and Lawrence be so changed as to include the lands of James Hogan, W. H. Hogan and Sirend Garner in the county of Lawrence.

SEC. 5. *Be it further enacted*, That the county line between the counties of White and DeKalb be so changed as to include all the lands of David Worley in the county of White.

Scott and Morgan.

SEC. 6. *Be it further enacted*, That the county line between the counties of Scott and Morgan be so changed as to include the residence and lands of Dempsey Massengale in the county of Scott.

SEC. 7. *Be it further enacted*, That the county line between the counties of Fentress and Overton be so

changed as to include a sixty acre tract of land owned by R. Dowdy in the county of Fentress; and that this Act take effect from and after its passage. Fentress and Overton.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 27, 1869.

CHAPTER XLIV.

AN ACT to Change the Time of Holding the Chancery Court in the County of Overton, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Chancery Court for the county of Overton shall hereafter be held on the fourth Mondays in March and second Mondays in October.

SEC. 2. *Be it further enacted*, That the county of Smith be attached to the Seventh Chancery Division, and the Chancery Court of said county shall hereafter be held by the Chancellor of the Seventh Chancery Division. Smith Co. Chan. Court.

SEC. 3. *Be it further enacted*, That the Chanceyr Court of Smith County shall be held on the third Mondays of February and August of each year: *Provided*, The next regular June term of said court shall be held at the time now prescribed by law. When held.

SEC. 4. *Be it further enacted*, That the Chancery Court for the county of Macon shall hereafter be held on the first Thursdays after the second Mondays in February and August of each year. Chan. Court of Macon.

SEC. 5. *Be it further enacted*, That all laws in conflict with this Act are hereby repealed.

SEC. 6. *Be it further enacted*, That An Act entitled "An Act creating a County Judge for Anderson County," passed February 19, 1869, be and the same is hereby so amended as to increase his salary to five hundred dollars per annum. Anderson Co. Judge.

SEC. 7. *Be it further enacted*, That the time of holding the election for said County Judge be changed from the first Saturday in May, 1869, to the fourth Thursday in May, to conform to the day of the general election for Judges, as provided in a late Act passed by this General Assembly. Election.

Chancery Sales of Land.

SEC. 8. *Be it further enacted*, That in cases where lands have been sold, or may hereafter be sold, under decrees of the Chancery and Circuit Courts, no judgments shall be rendered against the purchasers and their sureties until notice is given of such judgment by motion at least five days before the meeting of the court at which the motion is to be made, and the defendant may appeal, as in cases of administrators and executors.

Scott County Judge.

SEC. 9. *Be it further enacted*, That the time for holding the election for County Judge in Scott County be changed from the first Saturday in May, 1869, to the fourth Thursday in May, 1869.

Henderson.

SEC. 10. *Be it further enacted*, That An Act to consolidate the office of Entry Taker and Surveyor of Henderson County, passed February ——, 1869, be so amended as to repeal all in said Act that refers to County Commissioners and County Judge of Sumner County.

SEC. 11. *Be it further enacted*, That this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 27, 1869.

CHAPTER XLV.

AN ACT to Amend the Revenue Laws of the State.

Act of March 13 amended.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That An Act passed March 13, 1868, to amend the Revenue Laws of the State, be, and the same is hereby amended, so that all merchandise purchased for sale by merchants, a tax of one and one half per cent. shall be assessed on its invoice cost at the place where purchased, unless the tax on the same has once been paid to the State, in which case no additional tax shall be paid.

Products of the State.

SEC. 2. *Be it further enacted*, That the tax referred to in the first section of this Act shall not be levied upon, or collected from any of the products or any article manufactured within the State from the products

of the State of Tennessee, in the hands of the manufacturer or producer.

Wagons. SEC. 3. *Be it further enacted*, That so much of the said Act of March 13, 1868, as refers to express wagons, transfer wagons and carts, shall not be so construed as to include vehicles other than wagons and carts, regularly in the business of expressage and transfer.

Brokers of Real Estate. SEC. 4. *Be it further enacted*, That section 5 of the said Act of March 13, 1868, so far as the said section relates to brokers of real estate, be amended as follows, to-wit: Brokers of real estate, including all contracts for rents or sale of lands or houses, carried on as a regular business, either for pay or commission, shall be deemed a broker of real estate, and shall pay a privilege tax of fifty dollars, and one-half of one per cent. on the commission derived from such sales or rents.

Retail dealers in Spirits. SEC. 5. *Be it further enacted*, That so much of section 5, chapter 79, of the Acts of 1867–8, as imposes a privilege tax of twenty-five dollars upon "Retail dealers in spirits, wines, ale, beer or other malt liquors," be so amended, as to impose a privilege tax of one hundred dollars upon all other dealers in spirits, wines, ale, beer or other small liquors in addition to the present taxes on merchants, and the duty of taking out license.

Express Companies. SEC. 6. *Be it further enacted*, That section 5 of the said Act of March 13, 1868, in so far as the same relates to or affects express companies, be amended as follows, to-wit: All express companies shall take out an annual license, and pay a tax therefor, of five hundred dollars, where the distance over which their lines extend is one hundred miles or less; and when their lines extend over a distance of more than one hundred miles, such tax shall be one thousand dollars; and any express company which has taken, or may take out, a license and pay the tax provided for in this Act, shall not be required by any county or corporation in this State to take out any other or additional tax for the privilege of conducting its business in such county or corporation.

Telegraph Companies. SEC. 7. *Be it further enacted*, That section 5 of the said Act of March 13, 1868, in so far as the same relates to or affects telegraph companies, be amended as follows, to-wit: All telegraph companies shall take out a semi-annual license on the first days of January and July, in each year, and pay a tax therefor of two hundred and fifty dollars, and that this tax shall be in lieu of all other State, county or municipal taxes.

Comptroller's duty SEC. 8. *Be it further enacted*, That the Comptroller of the State of Tennessee is hereby instructed to inform,

by circular or otherwise, all County Court Clerks of the State of Tennessee, of all changes of laws pertaining to the revenue and finance of the State, as such laws are amended, made or passed.

Corporations.

SEC. 9. *Be it further enacted*, That no tax shall hereafter be assessed upon the capital of any bank or banking association, or any other joint stock company organized under the authority of this State or of the United States; but the stockholders in such banks and banking associations, or other corporations, shall be assessed and taxed on the value of their shares of stock therein; said shares shall be included in the valuation of the personal property of such stockholder in the assessment of State, county or municipal taxes at the place, town, ward or district where such bank or banking association, or other corporation, is located, and not elsewhere, whether the said stockholder reside in said place, town, ward or district or not, but not at a greater rate than is assessed upon other moneyed capital in the hands of individuals in the State; *And Provided further*, That nothing herein contained shall be held or construed to exempt from taxation the real estate held or owned by any such bank or banking association, or other corporation; but the same shall be subject to State, county, municipal and other taxation, to the same extent and rate, and in the same manner, as other real estate is taxed.

Proviso.

Bankers.

SEC. 10. *Be it further enacted*, That every individual banker doing banking business under the laws of this State, is hereby required to declare upon oath before the Assessor, the amount of capital invested in such banking business, and each one hundred dollars of such capital, for the purpose of this Act, and for the purpose of taxation, shall be held and regarded as one individual share in such banking business, and such shares are hereby declared to be personal property. If such banker have partners, he shall declare upon oath before the Assessor, the number of shares held by each of them in such banking business, ascertained as above provided, and the shares so held by any partner, shall be included in the valuation of his taxable property in the assessment of all taxes levied in the city, town, ward or school district, where such individual banker is located and not elsewhere; and such individual banker shall pay the same and make the amount so paid, a charge in his account with such parties, and if such individual banker have no partners, he shall be held to be sole owner of

Oath, etc.

all the shares in such business of banking, and the same shall be included in the valuation of his personal property in the assessment of all taxes levied in the city, town, ward or school district where his bank is located, and not elsewhere.

SEC. 11. *Be it further enacted*, That there shall be kept at all times in the office where the business of such bank or banking association, organized under the authority of this State or the United States, shall be transacted, a full and correct list of the names and residences of all the stockholders therein, and of the number of shares held by each, and such list shall be subject to the inspection of the officers authorized to assess taxes during the business hours of each day on which business may be legally transacted. Lists f Stockholders' names.

SEC. 12. *Be it further enacted*, That when the owner of stock in any bank or banking association organized under the laws of this State or of the United States, shall not reside in the same place where the bank or banking association is located, the Revenue Collector for the State, county or corporation, shall respectively have the same powers as to collecting the tax so assessed by this Act as they have by statute when the person assessed has removed from the town, city, ward or district in which the assessment was made, and the Revenue Collector, receiver of taxes or other officer authorized to receive said tax from the collector, may all or either of them have an action to collect the tax from the avails of the sale of his shares of stock, and the tax on the share or shares of said stock shall be and remain a lien thereon till the payment of said tax. Revenue Collector.

SEC. 13. *Be it further enacted*, That for the purpose of collecting such taxes, and in addition to any other laws of this State not in conflict with the Constitution of the United States relative to the imposition of taxes it shall be the duty of every such bank or banking association and the managing officer or officers thereof, to retain so much of any dividend or dividends belonging to such stockholders as shall be necessary to pay any taxes assessed in pursuance of this Act, until it shall be made to appear to such officer that such taxes have been paid. Bank officers to retain dividends.

SEC. 14. *Be it further enacted*, That the privileges and franchises granted by the Legislature of the State to savings banks or institutions for savings, are hereby declared to be personal property and liable to taxation as such in the town, ward or civil district where they are located, to an amount not exceeding the gross sum Savings Banks.

of their surplus earned and in the possession of said banks or institutions; and the officers of such institutions or banks may be examined on oath by assessors as to the amount of such surplus; and the property of such banks and institutions shall be liable to seizure and sale for the payment of all taxes assessed upon them for said privileges and franchises.

Oath of officers.

Magistrates' Reports to Trustees.

SEC. 15. *Be it further enacted*, That section 10 of An Act to amend the Revenue Laws of the State, passed March 13, 1868, be so amended as to require magistrates to report and deposit with the County Trustee the revenue collected by them, on the first Monday of every Quarterly Court, instead of the first Tuesday of every month, as now required by law, except in the counties of Shelby and Davidson.

Photographers.

SEC. 16. *Be it further enacted*, That artists taking photographs, ambrotypes, or any other likeness, shall take out a license semi-annually, and pay a privilege tax therefor of fifty dollars for each gallery opened; the keeper of bagatelle tables, used either for profit or pleasure, shall take out a semi-annual license and pay a semi-annual tax for each table, of twelve dollars and fifty cents. Each variety establishment, where the performance consists of singing, dancing or comic representations, and other performances not theatrical or dramatic, shall take out a semi-annual license and pay a tax therefor of one hundred and twenty-five dollars.

Variety Shows.

Patents.

Each person engaged in selling patent rights, shall take out a semi-annual license, and pay a privilege tax therefor of five dollars for each county in which he may do business.

Theatres, Circuses, Patent Medicines.

SEC. 17. *Be it further enacted*, That each person or company opening or keeping a theatrical establishment, shall take out a semi-annual license, and pay a tax therefor of two hundred and fifty dollars for each establishment opened. Each company or circus, or circus and animal show, feats of activity or strength, exhibiting for profit, shall take out a license, and pay a privilege tax of one hundred dollars for each day and night's exhibition. Each pedlar of patent medicines shall take out a semi-annual license and pay a tax, if on foot, of five dollars, if on horseback, ten dollars, and if in a vehicle, twenty dollars.

Liquor dealers.

SEC. 18. *Be it further enacted*, That dealers in spirits, wines, liquors, etc., may take out a quarterly or semi-annual license at the present rate of taxation, and that all laws coming in conflict with the provisions of

this Act be, and the same are hereby, repealed, and that this act take effect from and after its passage.

SEC. 19. *Be it further enacted*, That section 1 of An Act passed March 13, 1868, be so amended as to exempt all interest-paying State, county or corporation bonds, owned by citizens of this State, from taxation. Bonds.

SEC. 20. *Be it further enacted*, That the penal assessment of two, five and ten per cent., for failure to pay taxes, etc., as provided in section 17 of An Act entitled "An Act to amend the revenue laws of the State," passed March 13, 1868, be, and the same is hereby, repealed. Penalty on Tax-payers.

SEC. 21. *Be it further enacted*, That the Comptroller of the Treasury be, and he is hereby, authorized and empowered, with the advice and consent of the Governor, Secretary of State and Treasurer, to borrow upon the faith and credit of the State, such amounts as may be necessary to meet the necessary demands upon the Treasury of the State, upon such terms and conditions as may be agreed upon. Comptroller may borrow money.

SEC. 22. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be, and the same are hereby, repealed; and this Act shall take effect and be in force from and after its passage. Repealed.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed March 4, 1869.

CHAPTER XLVI.

AN ACT to Defray the Expenses of this Adjourned Session of the Legislature.

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Comptroller of the Treasury issue his warrant to each member of the Senate and House of Representatives, for the sum stated to be due to each in the annexed report of the Committee on Finance. Members.

SEC. 2. *Be it further enacted*, That the Comptroller issue his warrant to the officers of the Senate and House of Representatives due each, to-wit: Officers.

OFFICERS' NAMES.	Days.	Amount.
David M. Nelson, P. C. of the Senate..	113	$678 00
Clay Newland, Assist. C. of the Senate.	113	678 00
William Baker, E. E. of the Senate...	113	678 00
W. T. Cate, Door-keeper of the Senate.	113	452 00
B. T. R. Foster, Ass't Door-keeper of Sen.	113	452 00
I. C. Napier, Porter of the Senate....	113	452 00
Officers. Geo. E. Grisham, P. C. H. of Rep....	113	678 00
Ben. Cunningham, Ass't C. H. of Rep.	113	678 00
J. M. Alexander, E. C. H. of Rep....	113	678 00
R. H. Chandler, Door-keeper H. of Rep.	113	452 00
J. H. Sumner, Ass't Door-keeper H. of R.	113	452 00
Frank Hyberger, Sergeant-at-Arms...	113	452 00
Alfred Kemp, Porter H. of Rep.....	113	452 00

SENATORS' NAMES.	No. of Days.	Per Diem.	Miles tr'vld	Mileage.	Total Amount.
Aldridge, Jno.....	113	$452	500	$80 00	$532 00
Cate, A. M.....	113	452	342	54 70	506 70
Eckel, Joseph.....	113	452	626	116 00	568 00
Eaton, R. P.....	113	452	492	78 72	530 72
Elliott, W. Y.....	113	228	62	10 24	238 24
Frierson, J. B.....	113	452	106	16 92	468 96
Fuson, J. A.....	113	452	120	19 20	471 20
Garner, W. A.....	113	452	192	30 72	482 72
Henderson, S. M.....	113	452	416	66 56	518 56
Keith, G. W.....	113	452	570	91 20	543 20
Lindsley, A. V. S.....	113	452	....	.....	452 00
Senators. Lyle, Berry.....	113	452	250	40 00	492 00
Matthews, S.....	113	452	500	80 00	532 00
McCall, J. R.....	113	452	600	96 00	548 00
Nelson, P. P. C.....	113	432	727	116 32	548 32
Norman, Jno.....	113	452	226	36 16	488 16
Patterson, H. S.....	113	452	120	19 20	471 20
Parker S.....	113	452	174	27 80	479 80
Rodgers, Jno. B.....	113	452	240	38 40	490 40
Smith, W. J.....	113	452	470	75 20	527 20
Underwood, C.....	113	452	306	48 96	500 96
Wisener, W. H.....	113	452	126	20 16	472 16
Wyatt, Wm.....	113	452	210	33 60	485 60
Wilson, David.....	113	452	240	38 40	490 40
Senter, D. W. C., Sp'kr.	108	678	596	95 36	773 36
Nelson, P. P. C. Spk'r *pro tem*.....	5	30	....	.....	30 00

REPRESENTATIVES' NAMES.	No. of Days.	Per Diem.	Miles trv'ld	Mileage.	Total Amount.	
Agee, J. H.....	113	$452	606	$90 96	$542 96	
Allen, R. J.....	113	452	500	80 00	532 00	
Anderson, Jno.....	113	452	350	56 00	508 00	
Baker, J. W.....	113	452	700	112 00	564 00	
Bowles, Jno.....	113	452	384	61 44	513 14	Representatives.
Blackman, S. M.....	113	452	500	80 00	532 00	
Bloom, G. M.....	113	452	428	68 48	520 48	
Bosson, Wm.....	113	452	64	10 24	462 24	
Brewer, David.....	113	452	220	35 20	487 20	
Carter, B. M.....	113	452	140	22 40	474 40	
Chiles, J. C.....	113	452	560	89 60	541 60	
Carey, Jno.....	113	452	200	32 00	484 00	
Cagle, M. J. J.....	113	452	100	16 00	468 00	
Cason, Favor.....	113	452	80	12 80	464 80	
Cordell, J. M.....	113	452	650	104 00	556 00	
Dame, G. W.....	113	452	266	42 56	494 56	
Doughty, J. A.....	113	452	568	90 14	542 14	
Dowdy, Rufus.....	113	452	384	61 44	513 44	
Dyer, J. C.....	113	452	590	94 40	546 40	
Faulkner, L. L..	113	452	210	33 60	485 60	
Galbraith, R.....	113	452	126	20 16	472 16	Same.
Griffith, J. C.....	113	452	452	72 32	524 32	
Gilmer, J.....	113	452	112	17 92	469 92	
Grayson, J. W. M....	113	452	820	131 20	583 20	
Hale, James.....	113	452	630	100 80	552 80	
Hodge, E. J.....	113	452	460	73 60	525 60	
Hewitt, R. A.....	113	452	350	56 00	508 00	
Hamilton, T. A.....	113	452	470	75 20	527 20	
Hamilton, J. H.....	113	452	250	40 00	492 00	
Hunt, T. S.....	113	452	120	19 20	471 20	
Hammer, J. M.....	113	452	594	95 04	547 04	
Hacker, N.....	113	452	720	115 20	567 20	
Inman, S. H.....	113	452	630	100 08	552 08	
Inman, Charles.....	113	452	600	96 00	548 00	
Jordan, W.....	113	452	50	8 00	460 00	
Johnson, W. H.....	113	452	560	89 60	541 60	Same.
Kercheval, T. A.....	113	452	.....	.....	452 00	
Lillard, A. F.....	113	452	100	16 00	468 00	
Medlin, Robert.....	113	452	370	59 20	511 20	
Meyers, Vincent.....	113	452	610	97 60	549 60	
McFall, D. M.....	113	452	36	5 76	457 76	
McKinley, Thompson..	113	452	52	8 32	460 32	
Morris, Hiram..... .	113	452	132	20 80	472 80	
Murray, W. W.....	113	452	214	33 92	485 92	

	REPRESENTATIVES' NAMES.	No. of Days.	Per Diem.	Miles tr'vld	Mileage	Total Amount.
	McNair, J. E.....	113	$452	$270	43 20	$495 20
	Mynatt, L. M.....	113	452	555	88 80	540 80
	Mason, T. J.....	113	452	472	75 52	527 52
	Moore, J. A.....	113	452	360	57 60	509 60
	Poston, W. T.....	113	452	400	64 00	516 00
	Puckett, J. N.	113	452	146	23 36	475 36
	Porter, J. J.....	113	452	360	57 60	509 60
	Prosser, W. F.....	113	452	16	2 56	454 56
Same.	Prosser, W. F. Speaker	113	452	....	.....	.....
	Prestwood, J. A.....	113	452	268	42 88	494 88
	Pitts, Alfred.....	113	452	356	56 96	508 96
	Reaves, J. O. K.....	113	452	624	99 84	551 84
	Read, J. P. C.....	113	452	172	27 52	479 52
	Robinson, W. T.....	113	452	120	19 20	471 20
	Ryder, M. T.....	113	452	470	75 20	527 20
	Roddy,.....	113	452	400	64 00	516 00
	Roach, J. J.....	113	452	250	40 00	492 00
	Singletary, F. S.....	113	452	762	121 92	573 92
	Shepherd, W. H.....	113	452	640	102 40	554 40
	Smith, T. A.....	113	452	262	41 92	493 92
	Sparkman, James.....	113	452	250	40 00	492 00
	Stone, I. C.....	113	452	280	44 80	496 80
	Taylor, I. A.....	113	452	754	120 64	572 64
Same.	Taylor, Jesse.....	113	452	260	41 60	493 60
	Thornburgh, J. W.....	113	452	596	100 48	552 48
	Thornburgh, D. G.....	113	452	576	92 16	544 16
	Thompson, G. W.....	113	452	126	20 16	472 16
	Turner, W. R. H.....	113	452	196	31 36	483 36
	White, W. O.....	113	....	360	57 60	509 60
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Principal Clerks to remain.

SEC. 8. *Be it further enacted*, That the Principal Clerk of the Senate and the Principal Clerk of the House of Representatives, shall remain a sufficient time after adjournment, to file the papers of the Senate and House of Representatives in the Secretary of States

office, and close up their business, for which they shall receive forty cents per page for copying the journals for the printer.

SEC. 4. *Be it further enacted*, That the Comptroller of the Treasury issue his warrant to D. M. Nelson, Principal Clerk of the Senate, and George E. Grisham, Principal Clerk of the House of Representatives, for two hundred dollars each, for making out an index to the Journal of the Senate and House of Representatives for this adjourned session. Nelson, and Grisham.

SEC. 5. *Be it further enacted*, That the Comptroller issue his warrant upon the Treasury to the several publishers of the newspapers subscribed for by the members and officers of this General Assembly, and actually furnished and laid upon the table of each member each day, for the current subscription price, according to Senate Resolution No. —. Newspapers.

SEC. 6. *Be it further enacted*, That all pauper patients hereafter sent to the Tennessee Hospital for the Insane, except the number now provided for in section 1547 of the Code, shall be paid for by the County Courts, sending them upon such terms and conditions as may be prescribed by the Board of Trustees for said institution. Insane pauper patients.

SEC. 7. *Be it further enacted*, That in the reception of county patients, they shall be distributed among the several counties in proportion to their population.

SEC. 8. *Be it further enacted*, That the County Court Clerk of each county shall be the agent, through whom all correspondence shall be had, between the County Court and Superintendent of the Hospital for the Insane, with reference to the reception of the insane to the Hospital. County Court Clerks.

SEC. 9. *Be it further enacted*, That it shall be the duty of the Superintendent of the Hospital for the Insane to give immediate notice to the nearest known relative or bondsman, as he may deem best, of all pay patients whose bonds have been forfeited, to come forward and make payment and renew their bonds, and in case they they fail to do so, within thirty days, then in such case, of failure it shall be the duty of the Superintendent to convey or cause to be conveyed, such patient or patients as are named in this section to the nearest bondsman or nearest relative, as he may elect. Sup't to notify delinquents.

SEC. 10. *Be it further enacted*, That the first and fourth sections of An Act, entitled An Act to amend An Act passed November the 6th, 1865, amending the law

controlling the Asylum for the Insane, be, and the same are hereby repealed.

$25,000 appropriated.

SEC. 11. *Be it further enacted*, That the sum of Twenty-five Thousand Dollars per annum be, and the same is hereby appropriated in addition to the amount received from pay patients, for the current expenses of the Hospital for the Insane.

W. T. Cate.

SEC. 12. *Be it further enacted*, That the Comptroller issue his warrant to W. T. Cate, door-keeper of the Senate, for three hundred and ten dollars for postage stamps, as per Senate Resolution No. —.

Acts and Journals.

SEC. 13. *Be it further enacted*, That the Secretary of State cause one copy of the Acts and Journals of this adjourned session of the General Assembly to be bound for each member and officer, and that the same be distributed with the other Acts and Journals.

Job Printing.

SEC. 14. *Be it further enacted*, That the Secretary of State and Comptroller of the Treasury examine the accounts of Job Printing executed to this adjourned session of the General Assembly, and pay for the same as per rates specified by law, out of any monies not otherwise appropriated.

Nash. Gas Co.

SEC. 15. *Be it further enacted*, That the Comptroller of the Treasury issue his warrant to the Nashville Gas Light Company for the amount due them for gas furnished at the Capitol.

Eng. Clerks.

SEC. 16. *Be it further enacted*, That the Comptroller issue his warrant to the Engrossing Clerks of the House of Representatives and the Engrossing Clerk of the Senate for the sum of fifty dollars each, for making and preparing an index to the written Journals of the House and Senate for this adjourned session.

No. of Acts and Journals.

SEC. 17. *Be it further enacted*, That the Secretary of State shall have the same number of the Acts and Journals of the present adjourned session of the General Assembly printed and distributed to the several counties in the State, as provided in the 39th and 40th sections of chapter 60 of the Acts of 1865 and 1866 passed on the 26th day of May, 1866.

J. E. McNair.

SEC. 18. *Be it further enacted*, That the Comptroller issue his warrant to J. E. McNair for eight dollars, in consequence of an error in his mileage as printed in the Acts of the Extraordinary Session of this General Assembly.

Act of March 13, 1868, to apply.

SEC. 19. *Be it further enacted*, That the provisions of section 19 of An Act entitled An Act to pay the current expenses of this General Assembly, passed March 13th, 1868, shall apply in all respects to the payment of the

expenses of this adjourned session of the General Assembly, as per House Joint Resolution number 29.

SEC. 20. *Be it further enacted*, That the Engrossing Clerk of the Senate and the Engrossing Clerk of the House be allowed fifty dollars each for the payment of additional clerk hire. Clerk hire.

SEC. 21. *Be it further enacted*, That the sum of forty-four dollars ($44.00) be and the same is hereby appropriated to pay for printing letter-heads and bills of lading, as per House joint resolution number ———. Letter Heads, etc.

SEC. 22. *Be it further enacted*, That the sum of fifty thousand dollars ($50,000) be and the same is hereby appropriated to pay the indebtedness incurred on account of the State Penitentiary, and the Comptroller is hereby directed to issue his warrant upon the Treasurer for the payment of the same; but no debt shall be paid out of this appropriation without having been previously audited and approved by the Board of State Prison Directors. State Penitentiary.

SEC. 23. *Be it further enacted*, That the sum of six hundred and ninety-four dollars and forty cents be and the same is hereby appropriated to pay for the mileage and attendance of witnesses summoned under House resolution number 261. Payment of Witnesses.

SEC. 24. *Be it further enacted*, That the sum of eighty-six dollars and twenty cents be and the same is hereby appropriated for the payment of witnesses summoned under House resolution number ——. Same.

SEC. 25. *Be it further enacted*, That the sum of twenty-eight dollars ($28.00) be and the same is hereby appropriated for the payment of books furnished by Marshall & Bruce, for the use of the Senate. Marshall & Bruce.

SEC. 26. *Be it further enacted*, That the sum of twenty-three dollars be and the same is hereby appropriated for the payment of advertising done in 1865 by order of S. W. Hatchett and Adjutant General Brownlow, due and unpaid. Hatchett and Brownlow's bills.

SEC. 27. *Be it further enacted*, That the sum of twenty-eight dollars be and the same is hereby appropriated for extra services of W. F. Prosser, as Speaker *pro tem.* of the House of Representatives. W. F. Prosser

SEC. 28. *Be it further enacted*, That the sum of two hundred and thirty dollars be and the same is hereby appropriated for the payment of fixtures in the office of the Treasurer of the State; also for the payment of hack-hire for committee to visit Hermitage, eight dollars. Treasurer's office, etc'

SEC. 29. *Be it further enacted*, That the Treasurer of the State be and he is hereby empowered and authorized under the advice of the Attorney General of the State,

to receive from the Comptroller of the Currency, the assets of the Tennessee National Bank, at Memphis, now in the hands of the Receiver, appointed by the Comptroller of the Currency, the said assets, consisting of cash, bills and notes, receivable bonds, and all other assets belonging to or in the possession of said Receiver or his attorneys. And it shall be the duty of the Treasurer of the State to proceed to collect the assets as speedily as practicable, both real and personal, and shall keep an accurate account of said assets, and transfer the proceeds thereof, as they may come to his hands, into the Treasury on the warrant of the Comptroller, and make a specific report of the same to the next Legislature; *Provided*, The expense incurred in obtaining possession of the said assets shall not exceed sixteen hundred dollars ($1600.)

Assets of Tenn. National Bank, at Memphis.

SEC. 30. *Be it further enacted*, That the Speakers of the two Houses shall remain a sufficient time after the adjournment to close up their official business, and that they be allowed their *per diem*, and that the Comptroller issue his warrant for the same.

Speakers to remain.

SEC. 31. *Be it further enacted*, That the Comptroller issue his warrant on the Treasury to James B. Guthrie, William L. Smith, and J. W. Morgan, for one hundred dollars each per House joint resolution number 330.

J. B. Guthrie and others.

SEC. 32. *Be it further enacted*, That the Comptroller issue his warrant to John W. Barry, for seventy-five dollars ($75.00) for writing marginal references to chaptering and collating the Acts of the present and the last extraordinary sessions, twenty dollars to be paid when called for, the remainder to be paid on presentation of a copy of the Acts of the present session.

Jno. W. Barry

SEC. 33. *Be it further enacted*, That J. D. Lewis be allowed *per diem* for two days' attendence as a witness before the Special Committee, raised under House resolution number 337.

J. D. Lewis.

SEC. 34. *Be it further enacted*, That S. H. Cunningham be allowed *per diem* for two days' attendance, and mileage for 126 miles as a witness before the committee known as the Kuklux Committee.

S. H. Cunningham.

SEC. 35. *Be it further enacted*, That the Comptroller be authorized to borrow money upon the approval of the Governor, on the best terms practicable, to meet any deficiency in the Treasuary, and report to the next session of the General Assembly.

Comptroller.

SEC. 36. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer to Messrs. William Gamble & Co., for the sum of eighty-eight dollars ($88.00), as per House joint resolution number 300, for

Wm. Gamble & Co.

daily papers furnished to members of the "House" during the extra session of the General Assembly of 1868.

Jesse French.

SEC. 37. *Be it further enacted*, That the Comptroller issue his warrant to Jesse French for the sum of twenty dollars ($20.00) for copying the evidence taken before committee in the examination of the School Fund.

Mrs Ledy.

SEC. 38. *Be it further enacted*, That the sum of two hundred and fifty dollars ($250.00) be appropriated to Mrs. Ledy, as per House joint resolution number ——.

G. E. Green.

SEC. 39. *Be it further enacted*, That the sum of fifty-five dollars ($55.00) be appropriated to Capt. G. E. Green for funeral expenses of deceased soldier.

J. C. Martin.

SEC. 40. *Be it further enacted*, That James C. Martin be allowed ninety-five dollars ($95.00) for reregistering voters in Bedford County.

W. T. Rice.

SEC. 41. *Be it further enacted*, That the provisions of the foregoing section shall apply to W. T. Rice, the present Commissioner of Registration for Tipton County.

R. S. Kendrick.

SEC. 42. *Be it further enacted*, That R. S. Kendrick be allowed the amount due for Daily Republican, furnished A. M. Cate, as per resolution number ——, during the entire session of the Thirty-fifth General Assembly.

Rev. Dr. Huntington.

SEC. 43. *Be it further enacted*, That the Comptroller issue his warrant upon the Treasurer to the Rev. Dr. Huntington, for the sum of two hundred and fifty dollars ($250.00) for services as Chaplain.

R. H. Campbell.

SEC. 44. *Be it further enacted*, That R. H. Campbell be allowed the same *per diem*, as the Engrossing Clerk of the Senate, for eight days' service.

SEC. 45. *Be it further enacted*, That this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 27, 1869.

CHAPTER ——.

AN ACT to Amend the 16th Chapter of Part 3, Title 2 of the Code Entitled "Of the Resignation and Appointment of Trustees."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That where any Trustee, appointed by will or deed, and who is a non-resident of the State, is a lunatic or *non compos mentis*, and unable to execute the trust, a petition or bill in equity may be filed in any County, Circuit or Chancery Court of this State by the beneficiary entitled under said deed or will, and the lunatic or *non compos mentis* by his next friend, which petition shall be sworn to by the next friend, and the Court on being satisfied by proof that the Trustee is *non compos mentis* may appoint another Trustee to execute the trust, and should there be more than one Trustee the Court may in its discretion authorize the other Trustee to execute the trust.

Lunatic.

SEC. 2. *Be it further enacted*, That where real estate is conveyed and the bill or petition is filed in any other county or district than where the property is situated a copy of the decree or a memorandum thereof shall be registered in the county where the land lies, and this Act shall take effect and be in force from and after its passage.

Real Estate.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 14, 1868.

STATE OF TENNESSEE,
OFFICE OF THE SECRETARY OF STATE,
Nashville, March 17, 1869.

I, ANDREW J. FLETCHER, Secretary of State of the State of Tennessee, hereby certify that I have carefully collated the foregoing documents, with authentic copies on file in my office, and find them correctly printed.

A. J. FLETCHER,
Secretary of State.

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TO

PUBLIC LAWS.

1868–9.

INDEX TO THE PUBLIC LAWS.

[NOTE.—The last of the foregoing Public Acts entitled "An Act to amend the 16th section of Part three, Title second of the Code," entitled "Of the resignation and appointment of Trustees" was not deposited in my office until the assembling of the adjourned session on the 9th of November, 1868. A. J. FLETCHER, *Secretary of State.*]

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PRIVATE ACTS.

CHAPTER I.

AN ACT to Incorporate Pleasant Hill Academy, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Manuel Ray, W. J. Bomar, Charles Pearson, John C. Ray and K. J. Pearson, and their successors in office, be, and they are hereby, constituted a body politic and corporate, for the term of ninety-nine years, by the name and style of the "Trustees of Pleasant Hill Academy;" and shall have power to establish an institution of learning, to be located in the county of Bedford, in Civil District No. 24, and near the home of Rev. Jason Ray. Corporators.

SEC. 2. *Be it further enacted*, That said institution shall be governed by such constitution and by-laws as the stockholders may adopt, not to conflict with the laws of the land. By-Laws.

SEC. 3. *Be it further enacted*, That said corporation shall be invested with the same powers, rights and privileges as other incorporations of a similar character. Powers and privileges.

PREAMBLE.

WHEREAS, Joseph Wardlow, in the year 18—, donated a certain lot of land near Ripley, in Lauderdale County, to a certain board of trustees, who were to see that a male academy should be erected upon said lot, and that the same should be used exclusively for school purposes; *And whereas*, Said Trustees did erect a male academy upon said lot of land, which was used for the purpose for which it was donated, until the year 1862, at which time said academy was burned; and, Land donated by Wardlow.

WHEREAS, By the growth of the town of Ripley, said lot of land is partly within the corporate limits of the same, and it is the desire of all parties concerned,

May sell.

that said lot of land should be sold or exchanged, and the proceeds of the same used for the purpose of purchasing a lot of land outside of the corporate limits of the same upon which to erect a male academy; therefore,

SEC. 4. *Be it further enacted*, That the Trustees of the male academy at Ripley, be, and they are hereby authorized to exchange or sell the academy lot, and they are hereby required to vest the proceeds if sold, in other land, for the purpose of erecting a male academy upon the same.

To vest proceeds.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed November 12, 1868.

CHAPTER II.

AN ACT to Amend the Charter of the Clarksville, Cumberland and Charlotte Turnpike Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That said Company may, in the discretion of the Director, issue the bonds of the said company, in sums not exceeding at any time, ten thousand dollars in amount, and due at such dates as they may determine, and dispose of the same as the said Directors may agree, for the purpose of constructing, repairing or improving any part of said road, and may pledge tolls, subscriptions, or other assets for the payment of the same as the Directors may deem best. Said bonds may be either coupon bonds or otherwise.

May issue bonds.

SEC. 2. *Be it further enacted*, That whenever said company shall have graded the route of said road to the said Cumberland River from Clarksville, of the dimensions of the road already constructed, then they may establish a gate as provided in said original charter, and charge one-half the rates allowed in said charter; and when said road is completed, as is the portion already done, then full tolls as provided, and as often as they grade according to said finished part of said road in dimensions any additional five miles, they may es-

May establish gates.

tablish a second gate, and receive thereat one-half toll on said graded part; and when said additional five miles is metaled, then they may, at each succeeding gate, receive such tolls as provided in the original charter for the said first gate, and that section 126 of said original Act be so amended that the dimensions of said road shall be at least sixteen feet wide, and the rock or gravel thereon shall be at least eight feet wide. Tolls, etc.

SEC. 3. *Be it further enacted*, That said company may, if the Directors purchase the ferry on Cumberland River where this road reaches, the same, or establish a ferry thereat and collect thereat the rates of ferriage allowed according to law. Ferry.

SEC. 4. *Be it further enacted*, That the charter of the East Tennessee and Virginia Railroad Company, and of all other railroads in the State, be so amended, that hereafter in all elections held by any of said companies, every stockholder shall be entitled to one vote for each share of stock owned by him, provided it shall not interfere with the vested rights of said companies. Charters of R. Rds amended.

SEC. 5. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed November 17, 1868.

CHAPTER III.

AN ACT to Re-enact An Act Incorporating Andrew College, in Putnam County; and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the 16th section of the Act of 1855–6, chapter 118, entitled "An Act to incorporate the Collarville College, in Shelby County, Tennessee, and for other purposes," be and the same is hereby repealed. Act repealed.

SEC. 2. *Be it further enacted*, That the 12th section of the Act of 1859–60, chapter 77, entitled "An Act to incorporate Jamestown Academy, in Fentress County," be and the same is hereby repealed, and the Act of 1847–8, chapter 91, page 141, incorporating Andrew College, in Putnam County, be and the same is hereby Same.

re-enacted, and that this Act take effect from and after its passage.

Lebanon.

SEC. 3. *Be it further enacted*, That hereafter the Mayor of the town of Lebanon, Wilson County, shall be elected by the legally qualified voters residing in said town.

Election of Mayor.

SEC. 4. *Be it further enacted*, That the Mayor of said town shall be elected in the same manner and at the same time that the Aldermen of said town are now elected.

Certificates.

SEC. 5. *Be it further enacted*, That it shall be the duty of the officer or person holding the election for Aldermen of said town, to open and hold an election for Mayor under this Act, and at the same time and place; and it shall be the duty of the officer or person thus holding the election, within two days after such election, to give a certificate of election to the person who receives the highest number of legal votes cast for Mayor at such election, who shall be deemed to be duly elected Mayor of said town.

Mayor's powers.

SEC. 6. *Be it further enacted*, That the Mayor thus elected shall have all the rights and perform all the duties that the Mayor of said town was entitled to have and perform before the passage of this Act, and shall be entitled to the same salary and fees of office.

Meeting of Aldermen.

SEC. 7. *Be it further enacted*, That the officer or person holding the election shall also inform the Mayor elect who are elected Aldermen, of whom there shall still be seven; and it shall be the duty of said Mayor elect to call a meeting of the Aldermen elect to be held on the Saturday succeeding the election, for the purpose of electing other town officers, and the appointment of the proper committees.

Repealed.

SEC. 8. *Be it further enacted*, That all laws, or parts of laws, inconsistent with this Act are hereby repealed, and that this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed November 20, 1868.

CHAPTER IV.

AN ACT to Consolidate the Boards of the Trustees of Greenville and Tuscaloosa Colleges, in the County of Green, under the name of the President and Board of Trustees of Greenville and Tusculum Colleges.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Boards of Trustees of Greenville and Tusculum Colleges, situated in the county of Green, be and they are hereby consolidated under the name of the President and Board of Trustees of Greenville and Tusculum College, with all the rights privileges, powers and immunities of a University, which Board shall be composed of the following-named citizens, and not to exceed thirty in number: Andrew Johnson, Wm. B. Robinson, Francis A. McCorkle, Thomas L. Robinson, Isaac C. Datson, Anthony Moore, James C. Wilson, G. H. Evans, David T. Patterson, R. A. Crawford, Robert B. Moser, James A. Galbraith, S. P. Crawford, Joseph R. Brown, Wm. R. Brown, James Britton, Sr., Samuel McGaughey, H. R. Baker, M. S. Doak, Wm. M. Crawford, Samuel Milligan, E. Fink, S. S. M. Doak, Samuel S. Doak, David Sevier, Wm. B. Rankin, S. E. Knapp, and Robert M. McKee, who, with with their successors in office, to be chosen as hereinafter provided, shall have perpetual succession, and shall constitute a body politic and corporate, and have a common seal; and the said Trustees and their successors, or a majority of them, together with the President of said College shall have, and they are hereby vested with the legal powers and capacity to buy, receive, possess a lien and dispose of any land property or money for the use and benefit of said institution, and may sue and be sued, commence and practice any legal process, and have the like instituted against them in any Court of Record in the most ample manner.

Board of Trustees.

Powers and privileges.

SEC. 2. *Be it further enacted*, That the President of said College, with any six of the Trustees who may be present, shall be a board adequate for the transaction of business. In the absence of the President, any seven of the Trustees, being convened on their own adjournment, may choose a President *pro tem.* to act during such absence, and that the President and each Trustee, before entering upon the duties of his office, shall take an oath of office before some Justice of the Peace for said county, to faithfully execute his respective office; and a majority of the maximum members of the board shall have power to remove from office the President or any

Quorum.

To take oath.

Trustee when they think proper, and to fill all vacancies which may occur in the Board.

SEC. 3. *Be it further enacted*, That the Board shall have power to elect a President and Vice President; the latter shall be a member of the faculty, to fill all vacancies which may occur in the Board; and also from their own body to elect a Secretary and Treasurer, which election shall be by a majority of the members of the whole Board, and all other officers necessary for conducting the concerns of the College, to be elected in such manner as may be prescribed by the by-laws of the Board, and the Board shall have full power to displace and suspend, or supercede, such officers at pleasure, and shall meet on their own adjournment, or at the call of the President or any two members of the Board of Trustees, and they shall have power to examine the students, to confer the usual literary honors, to alter or change the site of the College to such place within the limits of the county as they may think best; and when, for the interest of the institution, to erect all necessary buildings, to adopt any measures they may think proper, to advance the cause of literature at said College, and to make any by-laws, rules and regulations relating to the same and the government thereof, and their own proceedings, as a majority of the Board may deem right and proper. Said College, for the present, may be located at the present site of Tusculum College, but which location may be changed by a vote of two-thirds of the maximum number of the Board; *Provided*, That none of the by-laws or action of the Board is inconsistent with the Constitution and laws of the United States and of the State of Tennessee; and they further take effectual care that the advantage of a liberal education and the honor of the institution shall be accessable to students of all denominations.

Officers, how elected.

General power of Trustees

Location, etc.

F. S. RICHARDS,
Speaker of the House of Representatives.

D. W. C. SENTER,
Speaker of the Senate.

Passed November 27, 1868.

CHAPTER V.

AN ACT to Incorporate the Granville Lodge, No. 342, of Free and Accepted Masons in the County of Jackson.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Granville Lodge, No. 342, of Free and Accepted Masons, in Granville, in the County of Jackson, be, and the same is hereby constituted a body politic and corporate by the name and style of Granville Lodge, No. 342, of Free and Accepted Masons, shall have succession for ninety-nine years, shall have a common seal, and by the name aforesaid [said] corporation shall be capable in law to purchase, receive, hold to themselves and their successors and assigns forever, or for a less estate, any lands, tenements, goods, chattels or money, which may be given, granted or devised to them, or by them purchased, and to use, sell and dispose of the same in such manner as said Lodge may determine right and proper; and said corporation shall, by their corporate name aforesaid, sue and be sued, plead and be impleaded in any court of law or equity in this State or elsewhere. General powers and privileges.

SEC. 2. *Be it further enacted*, That the officers of this corporation shall be the Master of the Lodge, the Senior and Junior Wardens; the service of all process issued against said corporation upon either of said officers, shall be good and sufficient to bring said corporation before any court of law or equity in this State; and all deeds, conveyances, rights and acquittances, bonds, obligations or other papers, executed by the said corporation shall be signed by the Master of the Lodge, and attested by the Secretary, under the corporate seal, where a seal is necessary. Officers and their liability

SEC. 3. *Be it further enacted*, That Whiteville Lodge, No. 148, of Free and Accepted Masons, and Gilbert Lodge, No. 331, are hereby created a body politic and corporate under the name and style of Whiteville and Gilbert Lodges, Nos. 148 and 331, of Free and Accepted Masons, and by that name shall have and exercise all the rights and privileges common to similar incorporations; may purchase, hold and sell such real estate or personal property as may be necessary to carry out the objects of this incorporation, and have succession for thirty years. Whiteville and Gilbert.

SEC. 4. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed November 28, 1868.

CHAPTER VI.

AN ACT to Incorporate the Wardens and Vestrymen of "Grace Church" in the City of Memphis.

Corporators.

Section 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Wiley B. Miller, Charles Kortricht, J. J. Freeman, W. Y. Cirode, J. J. Murphy, W. R. Hunt and Luke W. Finley, and their successors in office, be and are hereby constituted a body politic and corporate, by the name and style of the Wardens and Vestrymen of Grace Church, in the city of Memphis, with power to sue and be sued, to plead and be impleaded, to answer and be answered, in all kinds of suits and actions; and to do and perform all other acts and things which such bodies corporate may lawfully do; said corporation shall have power to receive by gift, donation or purchase, and to hold property, real, personal or mixed; to sell, exchange, mortgage, or otherwise dispose of the same in such manner as in its judgment may best subserve the interests of said church. It shall have power to issue bonds on time, not exceeding thirty years, for an amount not exceeding one hundred thousand ($100,000) dollars, and to mortgage its property for the payment of said bonds and interest, for the purpose of borrowing money to purchase ground and to erect a church edifice thereon. It shall have power to pass all by-laws which may be necessary to carry out the objects of this corporation; *Provided*, that none of said acts, by-laws and regulations be inconsistent with the Constitution and laws of this State and of the United States; *And provided further*, that in the election of the successors of said Wardens and Vestrymen, and in the discharge of their official functions, they shall be governed by the Constitution and the Canons of the Protestant Episcopal Church in the diocese in which said church edifice is or may be situated; *Provided*, that the church and real estate on which it is built, shall not exceed in value one hundred and fifty thousand dollars.

General powers, etc.

Provisos.

Sec. 2. *Be it further enacted*, That this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed November 28, 1868.

CHAPTER VII.

AN ACT to Incorporate the Raleigh Milling and Manufacturing Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Samuel M. Allen, J. M. Coleman, Dr. G. K. Duncan, Reuben Burrow and H. B. Williford and their successors, are hereby constituted a body politic and corporate, by the name and style of the "Raleigh Milling and Manufacturing Company," for the purpose and with full power to manufacture and sell meal, flour, woolen and cotton goods, agricultural and mechanical instruments, and by that name, be sued, plead and be impleaded, prosecute and defend in any court of law or equity, in all suits or actions. May have a common seal, and the same alter or renew at pleasure, and may enjoy all the privileges and powers incident to corporations, for the above specified purposes, and may purchase, hold, transfer and convey real and personal estate.

Corporators.

Powers and privileges.

SEC. 2. *Be it further enacted*, That the capital stock of said company shall consist of not less than three thousand dollars, nor more than one hundred thousand dollars, in shares of fifty dollars each, and the Company may organize and commence business whenever three thousand dollars has been subscribed, and may from time to time increase their capital by additional subscriptions to the maximum aforesaid.

Capital Stock

SEC. 3. *Be it further enacted*, That the corporators named in the first section, or a majority of them may act as Directors in organizing the Company, and for the first year, or until the stockholders have a general meeting, when they shall elect a Board of five Directors, and thereafter they shall elect Directors annually, at their place of business in Raleigh, but a failure to elect annually at any time shall not work a forfeiture of the charter, but the then existing Directors shall act until others are elected. The Directors shall elect one of their number President and may appoint a Secretary and Treasurer and such other officers, operators and agents as they deem proper, and fix their compensation or wages.

Directors to organize, etc.

SEC. 4. *Be it further enacted*, That the Directors may sue any delinquent stockholder for default in payment of his stock or any part remaining due according to the terms of subscription or regulation of the Company, or may declare a forfeiture of such stock with the payment

May sue delinquents.

thereon, and they shall cause to be made annually a statement showing the profits, losses and the extent of the business for the past year.

SEC. 5. *Be it further enacted*, That the charter hereby granted shall continue to run and have succession for thirty-three years.

SEC. 6. *Be it further enacted*, That the inhabitants of the town of Raleigh in the county of Shelby are hereby constituted a corporation and body politic by the name and style of the "Mayor and Aldermen of the town of Raleigh," with the following boundaries, to-wit: consisting of, and including a territory of one mile square, making the center of the Court House the center of the corporation, and by the same shall have perpetual succession, shall sue and be sued, and shall have all the powers and privileges incident to such corporations, shall have a Mayor and five Aldermen to be elected annually by the qualified voters living in said boundary, which Board, when organized, shall appoint such officers as they may deem proper, and fix their compensation.

Raleigh, Shelby Co.

Powers, rights, etc.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed November 28, 1868.

CHAPTER VIII.

AN ACT to Regulate Ferriages in Union County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of State of Tennessee*, That any citizen of Union County may establish or erect a ferry on Clinch or Powell's Rivers, any place where said rivers run through or border on said county of Union.

Clinch or Powell's riv's.

SEC. 2. *Be it further enacted*, That any person erecting a ferry, shall keep a good and substantial ferry-boat, with a good upper floor and good oars, a sufficient chain well fastened to the bow of said boat, and they shall be required to banister said boat.

Boat.

SEC. 3. *Be it further enacted*, That every ferry keeper shall keep both banks of the river where he erects his ferry in good repair.

SEC. 4. *Be it further enacted*, That any person erecting a ferry under this Act, shall not charge ferriage until he makes affidavit before the County Court Clerk,

To make affidavit.

that he has complied with the requirements of sections 2 and 3 of this Act, and pays the Clerk fifty cents for putting to record said affidavit, and whenever said ferryman ceases to comply with the requirements of this Act, the County Court Clerk shall order him to cease charging ferriage.

SEC. 5. *Be it further enacted*, That the County Court of Union County, shall have the power to regulate and fix the rates of ferriages for all ferries erected under the provisions of this Act, and all owners of ferries shall be governed accordingly: *Provided*, That for a removal of a boat without the consent of the owner, or for damages or injuries done his or their boats, he or they may sue for, and recover damages before any Justice of the Peace of said county. Rates of ferriage.

SEC. 6. *Be it further enacted*, That the ferryman shall be ready to ferry all mail carriers at the time set by the nearest Postmaster, except when the river may be safely forded, and shall ferry said mail carrier without delay, except prevented by ice, high water, or high winds. For a failure to comply with this section, he shall forfeit and pay five dollars, one-half to the county and one-half to the informant. Mail carriers.

SEC. 7. *Be it further enacted*, That on all County, Circuit and Chancery Court days in said county of Union, the ferryman shall be at the ferry (except when the river may be safely forded) from sun up till sun down, and ferry every person as speedily as possible. All ferriages due so soon as the labor is done, (no impossibilities being required,) and for a failure to comply with the requirements of this section, he shall forfeit and pay one dollar to any person aggrieved and suing for the same. That the ferryman shall use all care to prevent accidents in ferrying, but shall not be liable for damages except by carelessness or negligence. Forfeiture for failure.

SEC. 8. *Be it further enacted*, That all laws or parts of laws so far as they conflict with this Act are hereby repealed, and this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 2, 1868.

CHAPTER IX.

AN ACT to Amend An Act passed May 24, 1866, Entitled An Act to Incorporate the Bluff City Savings Institution, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the 8th section of An Act passed May 24, 1866, incorporating the Shelby Savings Institution be, and the same is hereby so amended as to change the name of said corporation from Shelby Savings Institution to the Bank of Columbia, and that W. P. Ingram, James G. Cecil, Samuel T. Mays, N. F. Cheairs, J. W. L. Ridley, J. T. Williams and L. D. Myers, the present stockholders of said Shelby Savings Institution, and their associates be, and are hereby incorporated under the name and style of the Bank of Columbia, with all the rights, powers and privileges conferred by said Act of May 24, 1866, on the Shelby Savings Institution, and that said stockholders may elect seven instead of five Directors for said Bank of Columbia.

Corporators of Shelby Savings Inst.

SEC. 2. *Be it further enacted*, That the name of the Memphis City Savings Institution be changed to City Bank.

City Bank.

SEC. 3. *Be it further enacted*, That section 5 of An Act entitled An Act to charter a Bank of discount and deposit at Dandridge, Tennessee, passed December the 13th, 1865, be, and the same is hereby so amended that the same shall read Knoxville where the word Dandridge occurs.

Dandridge Bank.

SEC. 4. *Be it further enacted*, That Thomas Martin, A. W. Brockway, W. N. Doughty, D. D. Brockway, P. W. Sumner, John P. C. Reed and A. Cox, and their associates and successors be, and they are hereby constituted a body corporate and politic by the name and style of the Pulaski Savings Bank, with the same powers and privileges, and subject to all the obligations, as the Bluff City Savings Institution. This Act to take effect from and after its passage.

Pulaski Savings Bank

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 4, 1868.

CHAPTER X.

AN ACT for the Benefit of the Farmington and Fayetteville Turnpike Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all the acts and doings of the Farmington and Fayetteville Turnpike Company, so far as regards limitation of time in the construction of said road, and the election and action of the officers of said company, be and the same is hereby legalized, and they are hereby authorized to continue the collection of their tolls, as authorized by their charter, so fast as the road is complete therewith. Collection of Tolls.

SEC. 2. *Be it further enacted*, That the first section of An Act passed the 16th of March, 1868, to incorporate the Fayetteville and Wells Hill Turnpike Company, in Lincoln County, Tennessee, be so amended that said turnpike road shall commence at the town of Fayetteville, in Lincoln County, instead of the south terminus of the stone bridge, across Elk River. Fayetteville and W. Hill Turnpike Co.

SEC. 3. *Be it further enacted*, That section ten of said Act be so amended that whenever the Stockholders shall have completed said turnpike road agreeable to the charter, from the town of Fayetteville to where said road shall intersect Comargo and Tucker's Creek Road, they shall be allowed to erect one gate on said road, between the town of Fayetteville and the stone bridge, across Elk River, and they shall be allowed to charge at said gate one-half the rates of toll that they are now allowed to charge by the tenth section of said Act. May erect gate.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 9, 1868.

CHAPTER XI.

AN ACT to Incorporate the Lewisburg and Culleoka Branch Railroad Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a body politic and corporate

is hereby constituted by the name and style of the Lewisburg and Culleoka Branch Railroad Company, to construct a railroad from Lewisburg, in the county of Marshall, to a point at or near Culleoka, on the Nashville and Decatur Railroad, following the nearest and most practicable route between those two points. Said company shall have all the rights, powers and privileges, and be subject to all the liabilities and restrictions conferred in the charter of the Nashville and Decatur Railroad Company and the several Acts amendatory thereto except as hereinafter provided; *Provided, however*, That nothing herein shall authorize State aid to said company.

Rights, powers and liabilities.

SEC. 2. *Be it further enacted*, That the capital stock of said company shall be two hundred and fifty thousand dollars, which may be increased or diminished to an amount sufficient to construct said road, which stock shall be divided into shares of one hundred dollars each.

Capital Stock

SEC. 3. *Be it further enacted*, That R. G. McClung, John R. Hill, John Ballanfant, Wiley F. Stone, Stephen Tally, James H. Lewis, W. N. Cawder, T. A. Murry, Samuel Dows, W. D. McClelland, Robert Williams, R. S. Montgomery, John Laws, A. F. Lilliard, Richard Warren, Jr., Joseph A. McReady, James N. Ewing, Elisha Collins, W. A. Houston, A. A. Steele, Thomas McNight, S. B. March, Levi Cochran, E. T. Williams, Robert Wiley, H. V. Cowder, M. C. West, Thomas P. March, Thomas F. Brooks, J. J. S. Gill and Z. Haislipp are hereby created a Board of Commissioners to manage the affairs of said company until it shall be fully organized by the election of a President and Board of Directors, to be elected by the Stockholders, each share having one vote. Said Commissioners, or any five of them, shall have full authority to act, and are hereby authorized to open books for stock in said company, at such times and places as they may deem advisable, and so soon as fifty thousand dollars of stock shall be taken they shall call a meeting of the Stockholders in said company, at Lewisburg, giving ten days' notice of said meeting. Said meeting shall elect a President and a Board of five Directors, and such other officers as they may deem advisable, all of whom shall be stockholders, and shall proceed to construct the railroad from Culleoka to Lewisburg, and equip and use the same. Said company may commence work at either terminus, or at any point on said railroad after the route has been surveyed and located.

Commissioners.

To open books, etc.

Election of officers.

SEC. 4. *Be it further enacted*, That the said Com-

pany shall have power to form a connection with the Nashville and Decatur Railroad at or near Culleoka in Maury County, and may consolidate with said Nashville & Decatur Railroad on such terms as may be agreed on by the two companies. Said Company may construct said Railroad adjacent to, at, or parallel with the Lewisburg and Mooresville Turnpike Road. Connection with N. & D. R. R.

SEC. 5. *Be it further enacted*, That the County Court of Marshall County is hereby authorized and empowered to indorse the bonds of said Company, which bonds are hereby authorized to be issued and offered for sale to such an amount and upon such terms and time as the Company may deem advisable, or the County Court of Marshall County may subscribe in said Company to an amount not exceeding two hundred and fifty thousand dollars; *Provided*, That before such subscription or endorsement is made, the Quarterly Court of said county upon application of any five of said Commissioners, shall submit the same to the voters of Marshall County, and a majority of those voting shall have voted in favor of said endorsement or subscription. Said election shall be held at the usual places of holding elections in said county, by the Sheriff, with the same powers and qualifications as are required in elections for Governor and General Assembly. Said Court shall fully set forth in said order of election the amount of stock to be subscribed, and when the same shall be payable, which stock shall be divided into five annual installments or payments. Marshall County Court. Election.

SEC. 6. *Be it further enacted*, That whenever a majority of the legal voters of said county shall have voted in favor of the proposition to subscribe the stock, the County Court shall make an order directing the Chairman thereof to subscribe the proposed amount of the stock in the name of the Company. Chairman County Court.

SEC. 7. *Be it further enacted*, That it shall be the duty of the County Court at the first quarterly term after the subscription of stock shall have been voted, to lay and collect an annual tax on the property, privileges and polls in said county to an amount sufficient to pay the amount of stock so subscribed. It shall be paid in five equal and annual installments. Levy of Tax.

SEC. 8. *Be it further enacted*, That it shall be the duty of the County Court to require of the Revenue Collector of said county a bond in double the amount of the annual tax so levied, which bond shall be conditioned as the bonds of Revenue Collectors now are, and said Revenue Collector shall have the same powers and be subject to the same duties and liabilities in the collection Revenue Collector's bond.

of said tax as he has in the existing laws, relative to the collecting and paying over the other county tax; *Provided*, He shall only be entitled to two per cent. for collecting and paying over the same, and that he and his securities shall in all things be liable on said bond in the same manner and to the same extent as the bonds of Revenue Collectors now are, and recoverable in the same way, and he shall pay over said tax by the first day of January in each and every year, to the President of said Railroad Company.

Liability, etc.

SEC. 9. *Be it further enacted*, That before said railroad tax, or any part thereof, shall be paid over to the President of said Company, he shall execute bond with sufficient security in double the amount of said annual payment, conditioned as other revenue bonds, that he will faithfully pay over said monies as said Board of Directors shall direct, which bonds shall be payable to the State of Tennessee for the use and benefit of said Company, and shall in all things be subject to the same liabilities as other revenue bonds are subject to, and if the conditions of said bond are not complied with, the same may be enforced and collected against said principal and his securities as other revenue bonds are provided for in this State. The President and Directors aforesaid shall report to the County Court at the end of each year, the amount of money so collected and paid over as provided in this Act.

Pres. of R. R. Co's bond.

Liability.

SEC. 10. *Be it further enacted*, That said Revenue Collector shall give to each person a receipt for the amount of tax paid by said person as railroad tax, which certificate or receipt after the completion of said Road shall be transferable, and whether in the hands of the tax payer or purchaser, shall be received for freight or passage on said Road as so much money, but said Company shall not be required to receive in any one year more than one-fifth of said receipts for freight and passage, that is to say, the receipts thus given for said annual tax for the first year shall be received if presented to said Company within the first year after the completion of said Road, so the second annual payment shall be taken by said Company, as aforesaid, the second year after the completion of said Road, and so on from year to year, until the whole is taken in and cancelled by said Company.

Tax Receipts.

SEC. 11. *Be it further enacted*, That upon the day the County Court shall assess the tax aforesaid, they shall elect three individuals of said county to represent said county in the selection of the President and Directors of said company, which individual so elect-

Who may vote on stock.

ed, shall have the power to give the vote for and in behalf of the said county, for the number of shares by the said county taken.

SEC. 12. *Be it further enacted*, That said company is hereby authorized to issue bonds to an amount not exceeding two hundred thousand dollars, on such terms and in such denominations as to them may seem advisable. Bonds.

SEC. 13. *Be it further enacted*, That the formation of a company for the purpose of constructing a railroad from some point on the East Tennessee and Virginia Railroad, between Bull's Gap and Greeneville, running by Fall's Branch, with the most practicable route to or near the mouth of Horse Creek, near Kingsport, in Sullivan County, is hereby authorized, which, when formed, shall be a body corporate, by the name and style of the Bull's Gap and Kingsport Railroad Company, and by such corporate name, shall have power to sue and be sued, plead and be impleaded in all the courts of this State and of the United States; have and enjoy all the rights to purchase, receive by gift, hold, sell and to convey real and personal property, for the purposes of said road; to contract, make by-laws, orders and rules for the carrying into effect the purposes of this Act; to do and perform all other acts necessary to the business of said corporation; to have and use a common seal, and to alter the same at will and pleasure, and to have perpetual succession. Bull's Gap and Kingsp't R. R. Co. Powers and privileges.

SEC. 14. *Be it further enacted*, That Harvey Chedister, James Woolsey, William Jones, Sr., James M. White, John Weems, Enoch Moore, James A. Wells, James Haws, R. M. Hopper, J. H. Crouch, Thomas Murrel, George Jones, Samuel Pierce, Westley Fannel, Spencer Ball, and W. S. White, are hereby appointed Commissioners, who, or any of whom, shall open books for subscription to said company, and shall keep said books open until the sum of fifty thousand dollars or upwards shall be subscribed, and then said company shall be formed and have a corporate existence, and said Commissioners, or any of them, shall give notice to each stockholder and call a meeting of stockholders, who shall elect a Board of Directors of nine persons, one of whom shall be elected by such Directors, President of the said board, and said board in case of the death, resignation or removal of any of Comm'rs to open books. Meeting.

Vacancies, etc.

the Directors, shall fill all vacancies until the next annual meeting of the stockholders; and after said company shall be organized, there shall be an annual meeting of the stockholders, which shall take place on the first Monday of May, in each year, for the purpose of electing a Board of Directors and of transacting all other business necessary to be done in and about the making and completing of said road, and in the management thereof.

Stock payable in labor, etc.

SEC. 15. *Be it further enacted*, That said Commissioners may receive subscriptions, to be paid in labor and work in grading said road, or in any other thing necessary to the completion of said road, or to be paid in provisions or any article necessary to be used in the construction of said road; and when such subscriptions in labor, materials, provisions or other things shall be performed, paid or furnished, the same shall constitute stock in said company at the cash value thereof.

Report.

SEC. 16. *Be it further enacted*, That the Board of Directors shall make a full and complete report of the state and condition of said Company at each annual meeting of the stockholders, and also at each called meeting, if demanded by any one of the stockholders.

Voting.

SEC. 17. *Be it further enacted*, That any person owning one share of stock, shall be entitled to one vote, and for any additional share one vote, and that the sum of twenty-five dollars shall constitute a share of stock.

Lands, right of way, etc.

SEC. 18. *Be it further enacted*, That said corporation may have and hold in fee or otherwise, lands, tenements or hereditaments necessary for said road and the business thereof, and also any kind of personal property, and that said corporation shall have the right of way through the lands of others on which to locate said road, or any route that may be selected by the stockholders or a majority thereof, from some point on the East Tennessee and Virginia Railroad between Bull's Gap and Greenville to the mouth of Horse Creek, near Kingsport, by the way of Fall's Branch, or as near said Fall's Branch as practicable.

Commissioners to value.

SEC. 19. *Be it further enacted*, That in cases where there shall be no agreement as to the right of way for said road, the right of way may be taken at a valuation of five Commissioners, or a majority of them, to be appointed as directed in the 22d section of an Act passed 27th January, 1848, entitled "An Act to Incorporate the East Tennessee and Virginia Railroad Company," and the same rights and remedies, and the land-holders shall

have the same rights and remedies designated in the said 22d and 23d sections of said Act.

SEC. 20. *Be it further enacted*, That the Bull's Gap and Kingsport Railroad Company, shall have three years from the passage of this Act in which to commence work on said road, and five years thereafter to complete said road. Time allowed.

SEC. 21. *Be it further enacted*, That each holder of the first mortgage bonds, and each holder of the second mortgage bonds of the Mississippi Central Railroad Company, shall hereafter be entitled to one vote for each fifty dollars of the par amount of the principal sum of the bond or bonds by him or her held at any and every meeting of the stockholders of said Company including all meetings for the election of Directors thereof; and that the right of voting hereby conferred shall attach to and pass with said bonds, and the holders thereof may vote at said meetings in person or by proxy as stockholders do. Miss. Central R. R. Co. Voting.

SEC. 22. *Be it further enacted*, That the Board of Directors of said Company shall so provide for the registration and representation of such bondholders as effectually to secure to them the right of voting to which they are entitled under the preceding section of this Act. Directors.

SEC. 23. *Be it further enacted*, That this Act take effect from and after its acceptance by a majority of the stockholders of said Company present in person or by proxy at any annual or called meeting of the same, and the filing of a copy of said acceptance in the office of Secretary of State. To take effect.

SEC. 24. *Be it further enacted*, That nothing herein contained shall impair the rights or interest of the State in said Company, or be construed to impair or effect the lien or priority of the State on account of the bonds issued to said Company, nor shall it work a postponement of the payment of the interest due thereon. State's interest.

SEC. 25. *Be it further enacted*, That the Nashville & Cincinnati Railroad Company may unite on a common track with the South-Western Railroad Company from the junction of the Tennessee and Pacific Railroad with the South-Western from said junction to Danville, Kentucky, if the Companies shall both agree on said union or consolidation by filing a written statement of the contract with the Governor of the State of Tennessee, which contract shall be made a matter of record, and said contract shall be valid and binding in law and equity, and both Companies shall have all the rights and privileges now granted by law to each Company, except N. & C. and S.-W. R. Rds. Rights, etc

that there shall be but one set of officers on the road after the consolidation, and shall be governed by the General Internal Improvement Laws, with all the amendments thereto.

Section 1148 of Code amended.

SEC. 26. *Be it further enacted*, That section 1148 of the Code be so amended as to read as follows, to-wit: If a majority of the votes cast of a county, town or city, as the case may be, should be in favor of the subscription, the Judge or Chairman of the County Court, or President of the Board of County Commissioners, or the Mayor of the corporation shall subscribe the amount of stock so voted for in the name of the county or corporation.

New election.

SEC. 27. *Be it further enacted*, That should any county, town or city fail to vote the subscription to any Railroad Company at any election held for the purpose, said county, town or city may at any time after thirty days order another election, if desired by the Railroad Company. Such election to be held by the Commissioners of Registration as now provided by law.

Gov. to represent State in Railroads.

SEC. 28. *Be it further enacted*, That the Governor of the State be, and he is hereby authorized and empowered to represent the interest of the State in any Railroad in which the State has or may have stock, where no Directors are appointed on behalf of the State, and he may appoint any person as his proxy or agent to represent him and the State in any meeting of stockholders of any Company in which the State holds stock either absolutely or as collateral security.

Davidson County.

SEC. 29. *Be it further enacted*, That the general provisions of sections 5, 6, 9 and 12 of this Act be, and the same are hereby extended to the Gallatin & Lebanon Railroad Company and Tennessee and Pacific Railroad Company, and that the Counties of Wilson and Davidson shall have privilege of again voting for or against subscriptions to the stock of said Gallatin & Lebanon and Tennessee & Pacific Railroad Companies at the request of said Companies, and all laws or parts of laws conflicting herewith, are hereby repealed.

Sequatchie Valley R. R. Co. incorp'd.

SEC. 30. *Be it further enacted*, That Wm. Pryor, Adam L. Kelly, Wm. H. Grayson, Dan. M. Williams, —— Carpenter, Henry Hart, F. A. Henager, B. F. Bridgeman and C. C. Stranahan be, and they are hereby created a body corporate and politic under the name and style of the Sequatchie Valley Railroad Company, and by that name, shall have power to contract and be contracted with, sue and be sued, plead and be impleaded, answer and be answered in any court of law or equity in the State, and may purchase, hold, lease, sell

and convey real estate and personal property to any amount that may be necessary to carry out the objects herein contemplated. They may have and use a common seal, and alter, change or abolish the same pleasure, and have succession for thirty years.

SEC. 31. *Be it further enacted*, That the object of said Company shall be to construct a Railroad from the town of Jasper in Marion county, to Pikeville in Bledsoe county; said Company shall have and enjoy all the rights, powers and privileges, and be subject to the same restrictions and liabilities of other roads under the the provisions of the General Internal Improvement Law. The capital stock of said Company shall be five hundred thousand dollars, and may be increased to one million of dollars at pleasure, which stock shall be divided into shares of one hundred dollars each, and when ten thousand dollars of *bona fide* stock shall have been subscribed, then the stockholders may meet and organize by the election of a President and such other officers as they may think proper, and fix the salaries of the same, and establish such by-laws as they may think proper not in conflict with the laws and Constitution of the State or United States.

Purposes and powers.

Capital Stock

SEC. 32. *Be it further enacted*, That said Company may amalgamate or unite with any other Company on such terms as may be agreed upon not detrimental to the interests of the State; *Provided*, that no State aid is granted said Company. This Act to take effect from and after its passage.

May unite.

F. S. RICHARDS.
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 9, 1868.

CHAPTER XII.

AN ACT to Create a Common School District in the Town of Morristown.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the two miles square from R. Smith's store, in the town of Morristown, Tennessee, shall compose one school district for all purposes, connected with the general interest of

Boundary line.

education in the district, subject to the provisions of section 1 of An Act entitled "An Act to provide for the reorganization, supervision and maintenance of free Common Schools, passed March 5, 1867, so far as they will apply to the school district."

Jefferson Co.

SEC. 2. *Be it further enacted*, That said school district shall be annexed to the county of Jefferson, for all school purposes, and that this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 11, 1868.

CHAPTER XIII.

AN ACT to Incorporate the Dyer Station Institute in Gibson County, Tennessee, and for other purposes.

Corporators.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That W. G. Crunk, P. R. Ewell, Wilson Baird, W. Gardner, J. L. Berry, —— McBroom and J. B. Biggs, their associates and successors be, and they are hereby constituted a body corporate and politic, in fact and in name, with a succession of ninety-nine years, under the name and title of the Dyer Station Institute, and by that name, may have power to receive, purchase, possess and enjoy to them and their successors, such real estate, not exceeding two hundred acres, and all personal property necessary to carry on all the objects of said corporation into full effect; may sue and be sued, plead and be impleaded, in all courts having competent jurisdiction thereof; may have and use a common seal, and may also change the same at pleasure, and do all other acts incident to a body corporate and politic.

Rights and powers.

Election of Trustees.

SEC. 2. *Be it further enacted*, That the aforesaid Institute be a stock company, the stockholders having the power, and it shall be their duty to elect Trustees on the first Saturday of December, in each and every year, from said stockholders. The Board elected shall elect their President and Secretary in one week thereafter.

SEC. 3. *Be it further enacted*, That the aforesaid Institute shall never be placed under any political or religious denomination, but that the Trustees elected from year to year, shall employ a principal and other teachers without reference to their religious or political sentiments; nevertheless, no one shall be employed as principal who has not a good moral character, and competent to fill the place. Non-sect'rian

SEC. 4. *Be it further enacted*, That the Board of Trustees shall hold their office for one year, or until their successors are elected and regularly installed, and that they shall have power at any regular meeting, to fill any vacancy that may occur, and also to declare and make vacant the seat of any Trustee who shall absent himself for six months, or who shall refuse or fail when legally notified to attend, for four successive meetings, and the said Trustees shall have authority to meet from time to time, upon their own adjournment, and as often as they shall be summoned by their President. Terms of office, Vacancy, etc.

SEC. 5. *Be it further enacted*, That four of the Trustees lawfully convened shall constitute a quorum, to transact all business except for the election of Principal of the Institute, when five shall be required. Quorum.

SEC. 6. *Be it further enacted*, That the said Trustees acting with the advice of the Principal, shall have power and authority to prescribe the course of study and discipline of the institution, and to organize departments for the study of the specific branches, as follows: Law, Medicine, Philosophy, Chemistry, Arts, Physiology, Agriculture, or all other branches that may [be] deemed proper in the judgment of said Principal and Trustees. Course of Study.

SEC. 7. *Be it further enacted*, That the said board shall have power to make such by-laws and regulations for the said Institute, and their proceedings as a majority may deem right and proper; provided they be not inconsistent with the Constitution and laws of the State of Tennessee, and of the United States. By-laws, rules, etc.

SEC. 8. *Be it further enacted*, That no spirituous or vinous liquors shall be sold as a beverage within the limits of the Institute property.

SEC. 9. *Be it further enacted*, That any person violating section 8 of this Act shall, upon conviction thereof, forfeit and pay for said violation, one hundred dollars; one-half of said fine to go to the use of said Penalty for selling liquor

Institution; the other half to the use of common schools, and shall be paid annually to the Superintendent of Public Schools of Gibson County.

SEC. 10. *Be it further enacted*, That W. H. Lillard, J. A. Mabry, J. M. Thornburgh, A. Coldwell, John W. Paxton, S. T. Atkins, C. Turner, John M. Strong, Wm. Rule, W. W. Woodruff, and A. L. Maxwell, Jr., their associates and successors be, and they are hereby created a body politic and corporate, to be known as and designated as the Masonic Mutual Relief Association of Tennessee, with the powers to sue and be sued, to buy, enjoy, and convey such real estate as may be necessary to further and carry on the purposes of the corporation; to make, have, and alter a common seal at pleasure; to appoint agents and to ordain, establish and put in execution such by-laws, rules and regulations as shall be deemed necessary and convenient for raising a charitable fund, and for its distribution among the widows and orphans of the deceased members of the association, and to designate to whom, when, and what amount shall be paid, and for the governmernt of said corporation, and for carrying into effect the object and purposes of the same not inconsistent with the laws of the State, or of the United States.

Masonic Mutual Relief Ass'n of Tenn.

Powers and privileges.

SEC. 11. *Be it further enacted*, That said corporation shall be managed and controlled by eleven Directors, a majority of whom shall constitute a quorum for the transaction of business, and the Directors shall be elected by the members of the corporation at such annual meeting, to serve for the term of twelve months. The Directors shall, from their number, elect a President, who shall serve for twelve months, or until his successor is elected. There shall also be a Secretary and Treasurer selected by the Board of Directors, and upon any vacancy occuring, either among the officers or Directors, then a majority of the Board of Directors shall have power to fill all vacancies.

Board of Directors.

Other officers.

SEC. 12. *Be it further enacted*, That the principal officers of said corporation shall be in the city of Knoxville, Tennessee, at which place the annual meetings of the corporation shall be held at such time as may be prescribed by the by-laws.

Principal office.

SEC. 13. *Be it further enacted*, That the members of this corporation shall be Master Masons in good standing in their respective Lodges, possessing the qual-

ifications required by the by-laws, and upon compliance with the terms of membership as prescribed by the by-laws, shall be entitled each to one vote at the annual or extra meetings of the corporation in all questions legitimately pertaining to the interests of this corporation, and the President, or in his absence, a majority of the Directors shall have power to call extra meetings of the members of the corporation at such time as in their judgment the interest of the corporation may require. Membership, etc.

SEC. 14. *Be it further enacted*, That upon the death of any member of this association, there shall be paid to the widow or children, or to such person or persons as may be entitled to the same according to the by-laws, such sum or sums of money as the corporation through its by-laws, Directors and officers shall direct, and in all cases, the same shall be paid to such persons as may be entitled thereto as aforesaid, free from any debt, contract or liability of such deceased member, and in no case shall be subject to any lien, attachment or judgment against him, nor shall the same be paid to his personal representatives, but directly to the person or persons entitled to the same according to the by-laws. Payments on death of members. Must be paid to heirs.

SEC. 15. *Be it further enacted*, That the property, funds and privileges of this corporation shall be exempt from all taxes on deposit of funds, as other charitable institutions in this State always have been. Taxes.

SEC. 16. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 12, 1868.

CHAPTER XIV.

AN ACT to Incorporate the Jackson Gas Light Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a Company, to be entitled the Jackson Gas Light Company, shall be, and the same is hereby established, with a capital of one hundred thousand dollars, which may be increased to two hundred thousand dollars in the discretion of the stockholders, and as the wants of the city may require. That the Capital Stock

stock of said Company shall be divided into shares of fifty dollars each, to be subscribed for and paid as the Commissioners hereinafter named may prescribe, and the subscribers, their successors or assigns, shall be and they are hereby created a body politic and corporate by the name and style of the Jackson Gas Light Company, and shall continue so long as the terms of this Charter are fulfilled, and under such name and style, they shall be capable to contract and be contracted with, sue and be sued as natural persons, and they may have and use a common seal, and change, alter, or renew the same at pleasure, and may ordain and put in execution such by-laws, rules and regulations for the good government and control of the office of the Company as may be deemed expedient, not inconsistent with the Constitution and laws of the State and of the United States.

Rights and powers.

SEC. 2. *Be it further enacted*, That the business of said Company shall be to establish and construct Gas Works in the city of Jackson; and they may purchase and hold as much real estate as may be necessary and expedient for said business and to secure any debt that may be due them.

Purposes.

SEC. 3. *Be it further enacted*, That it shall be the duty of said Company to establish within two years from the first of January, 1868, a Gas Manufactory within the city of Jackson [of] sufficient capacity to supply its corporate authorities and inhabitants with such public and private gas light as may be required.

Two years' time.

SEC. 4. *Be it further enacted*, That to enable said Company to establish such works, they are hereby authorized and empowered to lay down pipes and extend conductors and other apparatus through all or any of the streets, lanes, or alleys of the city of Jackson, in such manner as to produce the least possible inconvenience to the city or its inhabitants, or to travelers, and to take up the pavements and side walks; *Provided*, they shall afterwards repair the same with the least possible delay.

May lay pipes, etc.

SEC. 5. *Be it further enacted*, That said Company shall have the privilege of erecting, establishing and constructing Gas Works and manufacturing and vending gas in the city of Jackson by means of public works, for the term of fifty years from and after the date of this Act. A reasonable price per thousand feet for gas shall be charged.

Time to run, etc.

SEC. 6. *Be it further enacted*, That the works and apparatus of said Company shall be constructed and managed with due regard to the health and comfort of the inhabitants of the city, and nothing in this Act shall be

Nuisances.

so construed as to absolve the Company, their agents or officers from any legal proceedings to restrain or abate any nuisance arising from careless management.

SEC. 7. *Be it further enacted*, If any person or persons shall injure or destroy any portion of the gas fixtures or other property belonging to said Company, or shall wilfully open any communication into the streets or other gas pipes, or let on gas after it has been stopped by the Company, such person or persons shall be liable for all damages sustained by such proceedings, and also to a penalty not exceeding five hundred dollars, upon conviction by the proper authorities. Damages for injury to pipes, etc.

SEC. 8. *Be it further enacted*, That J. H. Harper, John L. Tamlin, Robert Hart, Robert J. Chester, J. T. Buerage, William Alexander and Charles Lattimer, shall be Commissioners to open books for the subscription of stock, which shall be kept open until they deem a sufficient amount has been subscribed. They shall then, by advertisement in the newspapers, give at least thirty days' notice to the stockholders to hold a meeting for the election of a Board of seven Directors, to whom shall be entrusted the management of the affairs of the Company, and who shall elect a President from their own number. Commissioners. Notice.

SEC. 9. *Be it further enacted*, That the election of the President and Directors shall be annual, and they shall fill any vacancy that may occur in their Board; the said election to be held at the office of the Company, at such time as the stockholders may appoint; to enable any person to act as a member of the Board of Directors, he must be the owner of five shares of stock; for each and every share of stock he may hold, each stockholder be entitled to one vote, which may be given by proxy in the election of the Board of Directors; stock may be transferred on the books of the Company any time previous to one month before the election. Election of officers.

SEC. 10. *Be it further enacted*, That the stock of said Company shall all be paid in within three years from the organization thereof, in such proportions or installments, and at such times and places as may be required by the Directors. Stock paym'ts

SEC. 11. *Be it further enacted*, That so much of the 1st section of an Act to amend the several Acts incorporating the town of Jackson in Madison county be, and the same are hereby amended, so as to read as follows:

First, That the Recorder, Constable and City Attorney, shall be elected by the qualified voters of said city at the annual election of the Mayor and Aldermen. Election.

Second, That said Mayor and Aldermen shall have power by the passage of necessary laws or ordinances, to establish a Workhouse, under proper provisions, government and restrictions, for the punishment of offenders against the laws and ordinances of said city, and to compel persons who are convicted and fined for violations of their laws and ordinances, and who fail or refuse to pay the said fine and cost, to work out the same upon the public streets or works of said city, at the rate of one dollar and fifty cents per day, to be accreditable on said fine and costs, and in such way as they may prescribe.

Powers of Mayor and Aldermen.

SEC. 12. *Be it further enacted*, That the 2d section of said Act be, and the same is hereby so amended as to read as follows:

Amended.

That it shall not be lawful for the Mayor or any Alderman or other officers of the city of Jackson to take any contract, do work, furnish labor or material, directly or indirectly, for said city; and the Board of Mayor and Aldermen are hereby prohibited from allowing or paying money on any such contracts, or for any such work, labor or materials, and it shall be a misdemeanor for any Alderman or Mayor to violate the provisions of this section, punishable as other misdemeanors.

Officers not to take contracts

SEC. 13. *Be it further enacted*, That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby repealed, and this Act to take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 14, 1868.

CHAPTER XV.

AN ACT to Amend An Act to Incorporate the Dandridge Railroad Company, and for Other Purposes, Passed March 9th, 1867.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Act incorporating the Dandridge Railroad Company, and for other purposes, passed March 9th, 1867, shall be so amended as to strike out sections 12, 13 and 14 of the said Act.

SEC. 2. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS.
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 15, 1868.

CHAPTER XVI.

AN ACT to Incorporate the Board of Mayor and Aldermen of Bristol.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Jacob R. Crumbly, Mayor, John Slack, Recorder; Robert Martin, W. W. Neal. E. D. Rader, Joseph R. Anderson, William L. Martin and L. F. Johnson, Aldermen, be, and are hereby legally constituted Mayor and Aldermen of the Council of the Corporation of Bristol, and that all their Acts that have been done and may be passed in accordance with said corporation laws, and the laws of this State shall be in full force, and binding during their succession in office. Officers, ordinances, etc.

SEC. 2. *Be it further enacted*, That the present corporate limits of the town of New Market, Jefferson County, be extended as follows, to-wit: Commencing on the north-east corner of the present corporate limits, at or near William Brazelton's storehouse, running north with the Dyer's Ferry road to the railroad, thence with the railroad so as to include Houghton & Bros. Foundry, thence south to the north-west corner of the present corporation lands; *Provided*, That no lands included within the extension, shall be liable to corporation taxes, except the houses and lots on such land. Corporate limits.

SEC. 3. *Be it further enacted*, That the corporation known as the Mayor and Aldermen of East Knoxville, in the county of Knox, be, and the same is hereby abolished, and that all laws and parts of laws creating the same and defining its powers, duties and jurisdiction be, and the same are hereby repealed. East Knoxville abolish'd

SEC. 4. *Be it further enacted*, That Knoxville proper, and East Knoxville, shall constitute one corporation, and the jurisdiction, power, authority, rights and privileges of the Mayor and Aldermen aforesaid, shall be One Corporation.

and remain the same as heretofore conferred upon them by the charter of the said town of Knoxville.

Election of Mayor and Aldermen.

SEC. 5. *Be it further enacted*, That at an election to be held on the first Saturday of January, 1869, the legally qualified voters of Knoxville shall elect ten Aldermen, and the legally qualified voters of East Knoxville shall elect eight Aldermen who shall constitute the Board for the ensuing year, and at the same time, all the voters shall elect a Mayor for said town, and the election for said officers shall be held at the places now prescribed by statute, or the laws and ordinances of said towns respectively.

Revenues.

SEC. 6. *Be it further enacted*, That the revenues of the said corporation of the town of Knoxville which may hereafter be raised and collected in any part of the said town, as hereinbefore defined, shall constitute a general fund for the government and improvement of the town, under the directions of the Board of Mayor and Aldermen. Any provisions in the charter of Knoxville and of East Knoxville in conflict herewith is hereby repealed.

Assets and liabilities of E. Knoxville.

SEC. 7. *Be it further enacted*, That before proceeding in the execution of this Act, the Mayor and Aldermen of the town of Knoxville, shall, by ordinance, adopt all the legal and valid debts of the corporation of East Knoxville, and may proceed to collect all the debts due same, including the taxes due and unpaid, and the power and authority now vested by law in the said corporation of East Knoxville shall continue until the organization of the corporation under this Act, when the same shall cease and determine. This Act shall take effect from and after its passage, except as hereinbefore otherwise prescribed.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 17, 1868.

CHAPTER XVII.

AN ACT to Incorporate the Cumberland County Lumber and Manufacturing Association.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That W. G. Custeed, George S. Perry, John T. Narramore, L. G. De Sabla, and their associates, successors and assignees, be and they are hereby constituted a body politic and corporate by the name and style of the Cumberland County Lumber Manufacturing Association of Tennessee, and by that name shall have succession for thirty-three years, and shall be competent to contract, to sue and be sued, to have and use a common seal, to alter the same at pleasure, to establish and change any by-laws for the government of the said company, to purchase, hold and dispose of such real estate, leases, lumber, machinery, timber and other property as may be necessary, proper or suitable for the legitimate transaction of their business, which is the manufacture of lumber, and also the preparation of the same for the purpose of commerce and trade for use in building or any and all other uses, to which lumber so manufactured or prepared may or can be applied, and the products so manufactured to vend as the interest of said association may require; and also to manufacture, purchase or vend such other products of the country as may appear desirable to a majority of the Directors; *Provided*, the same shall not be inconsistent with the legitimate and ostensible object of the association.

Corporators.

Gen'l powers and privileg's

SEC. 2. *Be it further enacted*, That the capital stock of said association shall not exceed fifty thousand dollars, to be divided into shares of twenty-five dollars each.

Capital Stock

SEC. 3. *Be it further enacted*, That when one hundred shares of the capital stock shall have been subscribed, the corporation shall commence its business, and, upon due notice of time and place, the Stockholders shall meet and elect such officers, and adopt such rules and by-laws and regulations for the government of the corporation, its business and concerns as shall be lawful and expedient; and generally that this association shall have and enjoy, and exercise all the rights and privileges incident to corporations.

Election of officers, etc.

SEC. 4. *Be it further enacted*, That R. J. Wilson, or R. I. Wilson, and such other persons as may hereafter be associated with him and his successors, shall have all the rights, powers and privileges, and be subject to all the limitations, liabilities and restrictions which are

granted to the "Rockford Manufacturing Company," by Act of the Legislature of Tennessee, passed February 29, 1856, that he or they may operate under such charter by the name of the Rockford Manufacturing Company, and may build dams across Little River, and toll-bridges across the same, and may erect buildings for the manufacture of cotton, wool, hemp and silk, or machinery and implements of wood, iron or other materials or wooden ware of any kind, or for grinding grain of all kinds.

Rockford Manuf'g Co.

SEC. 5. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 17, 1868.

CHAPTER XVIII.

AN ACT to Incorporate the Somerville Bank, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Whitfield Boyd, J. J. Holloway, John H. Key, William C. Trent, Joseph A. Hill, J. J. Pulliam Joel L. Pulliam and their associates and successors, be, and they are hereby created a body politic and corporate by the name and style of the "Somerville Bank," with all the rights, powers and privileges and restrictions conferred and imposed upon the "Bluff City Savings Institution," of Memphis.

Corporators.

SEC: 2. *Be it further enacted*, That J. W. Hughes, Luther M. Caldwell, R. M. Russell, H. D. Nelson, G. E. Glass, J. T. Cowan, W. M. Hill and their associates and successors, be, and they are hereby created a body politic and corporate by the name and style of the "Trenton Savings Institute," and by that name shall have succession for ninety-nine years, sue and be sued, plead and be impleaded, and generally to do every act and thing necessary to carry out the provisions of this Act, and to promote the objects and designs of this corporation.

Trenton Savings Institute

SEC. 3. *Be it further enacted*, That the capital stock of said Company shall be divided into shares of one hundred dollars each, and when one hundred and fifty

Capital Stock

shares shall have been subscribed, and the sum of ten dollars per share paid thereon, the stockholders may meet and elect five Directors, who shall elect one of their number President, and such other officers as they may determine by their by-laws.

Huntingdon Savings Bank

SEC. 4. *Be it further enacted*, That Adam R. Hall, E. T. Magill, A. C. McNeal, E. J. Kyle, George Hamble, Isaac R. Hawkins, Henry McCall, Joseph McCall and B. F. Harrison and their associates, successors and assigns, be, and they are hereby created a body corporate and politic by the name and style of the Huntingdon Savings Bank with all the powers and privileges, and subject to the liabilities imposed by this Act upon the "Trenton Savings Institute."

Mechanics' Bank of Nashville.

SEC. 5. *Be it further enacted*, That James W. Allen, K. J. Morris, J. N. Sperry, J. C. McCrory, James A. Moore, their associates and successors, be, and they are hereby incorporated a body politic and corporate, with succession for thirty years, by the name and style of the Mechanics Bank of Nashville, with the same powers and privileges, and under the same restrictions as are imposed upon the "Bluff City Savings Institute" and for other purposes, passed May 24, 1866.

Bank of Franklin.

SEC. 6. *Be it further enacted*, That W. O. N. Perkins, Joseph L. Parks, R. M. Ewing, their associates, successors and assigns, be, and they are hereby created a body politic and corporate by the name and style of the Bank of Franklin, with succession for thirty years, with the same powers and privileges, and under the same restrictions as are granted to the "Bluff City Savings Institution," and for other purposes, passed May 24, 1866.

Morristown Bank.

SEC. 7. *Be it further enacted*, That Joseph Brown, Pleasant Smith, John Murphy, Mark R. Murrell and such as may become associated with them, be, and they are constituted a body corporate under the name and style of the "Morristown Bank" of Discount and Deposit, and as such shall be entitled to all the benefits and subject to all the liabilities imposed by the foregoing Act incorporating the "Somerville Bank."

Bank of McMinnville.

SEC. 8. *Be it further enacted*, That P. H. Marbury, Asa Falkner, J. F. Moreford, Samuel L. Colville, L. D. Hickason, their associates and successors, be, and they are hereby incorporated a body politic and corporate with succession for thirty years, with a capital of $50,000, (fifty thousand dollars,) known by the name and style of the Bank of McMinnville in the county of

Warren, with the same powers and privileges, and under the same restrictions as are imposed upon the "Bluff City Savings Institute," and for other purposes, passed May 24, 1866.

Cleveland Bank.

SEC. 9. *Be it furlher enacted*, That D. M. Nelson, J. M. Craigmiles, J. H. Craigmiles, J. T. Cate and such other persons as they may associate with them, be, and they are hereby constituted a body politic and corporate by the name and style of the Cleveland Bank, with all the rights, powers and privileges, and subject to all the liabilities and restrictions conferred and imposed upon the "Bluff City Savings Institution" of Memphis.

Elections.

SEC. 10. *Be it further enacted*, That the President and Directors shall annually appoint the time and place of holding the election of their successors and two or more of their number shall attend and conduct said election, each share being entitled to one vote.

Powers and privileges.

SEC. 11. *Be it further enacted*, That said President and Directors shall and may adopt and use a common seal, and alter the same at pleasure: make and adopt proper and necessary by-laws for their government, fix the compensation of their officers and take bond and security for the faithful discharge of their duties. They may prescribe the manner of paying in the stock, and of the transfer thereof. Said Institution shall have a lien on the stock for debts due by stockholders before and in preference to other creditors, except the State and county taxes, and shall pay to the State such tax as may be imposed on similar institutions by the Legislature.

Deposits, etc.

SEC. 12. *Be it further enacted*, That said Institution may discount notes, may buy and sell stocks, deal in exchange, gold and silver bullion; may purchase and hold a lot of ground for the use of the Institution, as a place of business, and at pleasure sell or exchange the same, and hold such real or personal property and estate as may be conveyed to it to secure debts due the Institution, and may sell and convey the same. It may receive upon deposit any and all sums, not less than one dollar per week, offered, and infants and femes coverts may deposit therein, and control the deposit so made, which shall be for their own separate use, free from all other contracts or control whatever. It may receive other general or special deposits, and allow such interests thereon as may be agreed upon, not exceeding that allowed by law, and twice per year declare and pay to stockholders a dividend of profits. But said Institution is hereby expressly prohibited from issuing notes,

certificates or other paper, for the purpose of being used, or which shall have a tendency to pass and be used as a circulating medium.

SEC. 13. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 17, 1868.

CHAPTER XIX.

AN ACT to Incorporate the Edgefield Cemetery.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That C. N. Ordway, A. P. McFerrin, A. W. Johnson, D. P Rankin, Thomas Chadwell, J. B. White, Thomas Stratton, and their associates and successors be, and they are hereby constituted a body politic and corporate, under the name and style of Edgefield Cemetery, to have succession for ninety-nine years; may sue and be sued, contract and be contracted with, plead and be impleaded, defend and be defended in all courts of law and equity; may have a corporate seal; may establish such by-laws, rules and regulations, as they may deem proper for the government of said corporation, provided the same are consistent with the laws of the State and the United States. Corporators. Privileges.

SEC. 2. *Be it further enacted*, That said corporation shall have power to purchase and hold a tract or tracts of land not exceeding one hundred acres, to be located in the neighborhood of Edgefield, Davidson County, Tennessee, to be used as a cemetery or burying ground, and to have all the powers and privileges that were granted to the Mount Olivet Cemetery Company, by Act of the General Assembly of this State, passed February 18, 1856. Powers, etc.

SEC. 3. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed December 18, 1868.

CHAPTER XX.

AN ACT to Incorporate the Lincoln Savings Bank.

Incorporators.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That R. Farquharson, Jno. Carey, Anderson C. Martin, Daniel P. Holman, John M. Bright, William H. Moores, Cornelius Allen, Davis W. Clark, H. N. T. Shipp, and Jake M. Anthony, and their associates and successors be, and they are hereby created a body corporate by the name and style of the Lincoln Savings Bank, and by that name shall

Powers, etc.

have succession for thirty years, sue and be sued, plead and be impleaded, and generally to do every act and thing necessary to carry out the provisions of this Act, and to promote the object and design of this corporation.

Capital Stock

SEC. 2. *Be it further enacted*, That the capital stock of this company shall be one hundred thousand dollars, divided into one thousand shares of one hundred dollars each, with the privilege of increasing the capital stock to a sum not exceeding two hundred and fifty thousand dollars at the option of the stockholders.

Commissioners.

SEC. 3. *Be it further enacted*, That D. W. Clark, W. H. Moores and Anderson C. Martin, are hereby appointed Commissioners, to open books to receive subscriptions to the capital stock of said company; and when one hundred shares shall have been subscribed, and ten dollars per share paid thereon, the Commissioners aforesaid shall advertise in one or more newspapers of the county, giving notice that a sufficient amount of stock has been subscribed, and that the amount according to the charter has been paid, and

Meeting.

after such notice, the stockholders may meet and elect five Directors, who, when elected, shall enter upon their duties, and said Directors shall elect one of their number to be President during their term of office.

Privileges.

SEC. 4. *Be it further enacted*, That said President and Directors shall and may adopt and use a common seal, and alter the same at pleasure; may make, and adopt proper by-laws for their government; may appoint all necessary officers and agents; fix their compensation and take bond and security for the faithful discharge of their duties. They may prescribe the manner of paying in the stock, and the transfer

thereof. Said institution shall have a lien on the stock for debts due it by stockholders before and in preference to other creditors, except the State and county for taxes, and shall pay to the State such tax as shall be imposed on similar institutions by the Legislature. Lien.

SEC. 5. *Be it further enacted*, That said institution may discount notes; may buy and sell notes, stock and uncurrent money, deal in exchange, gold and silver bullion; may purchase and hold ground for the use of the institution as a place of business, and at pleasure, sell and exchange the same, and may hold such real or personal property as may be conveyed to it; to secure debts due to the institution, and may sell and convey the same. It may receive upon deposit any and all sums not less than one dollar per week, offered, and infants and femes covert, may deposit therein, and control the deposits so made, which shall be for their sole and separate use, free from all other contracts or control whatever, and when such deposits shall amount to one hundred dollars, it may, at the option of the depositor, become stock in the institution. It may receive other general or special deposits, and allow such interest thereon as may be agreed upon not exceeding that allowed by law, and twice per year declare and pay to stockholders a dividend of profits. But said institution is hereby expressly prohibited from issuing notes, certificates or other paper for the purpose of being or which shall have a tendency to pass, and to be used as a circulating medium. Business, etc. General and special deposits.

SEC. 6. *Be it further enacted*, That the President and Directors shall annually appoint the time and place of holding the election of their successors, and two or more of their members shall attend and conduct said election, each share being entitled to one vote; *Provided*, that the violation of this charter by said company shall authorize the Legislature of this State to alter, amend or repeal the same. Annual Meetings.

SEC. 7 *Be it further enacted*, That W. J. Parkes, W. M. Duncan, Thomas Parkes, their associates and successors be, and are hereby created a body politic and corporate with succession for thirty years, by the name of the Richland Savings Bank, with like powers and privileges, and under the same restrictions as are conferred upon the "Bluff City Savings Bank," by this charter. Richland Savings Bank

SEC. 8. *Be it further enacted*, That this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 11, 1869.

CHAPTER XXI.

AN A T to Incorporate the Southern Railroad Association.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, And it is hereby enacted as follows, that is to say: The following persons, namely, Henry S. McComb, Sam. Tate, Josiah Bardwell, Ebin. D. Jordan, Charles A. Lambard, W. Winthrop, Gray Cyrus, H. McCormick, James B. Alexander, John L. King, Horatio D. Newcomb, Samuel L. Felton and Henry Lewis, their successors, assigns and associates, shall be, and they are hereby created and constituted a body politic and corporate in law, under the name of the Southern Railroad Association, and as such they shall have succession, with the right to sue and be sued, to have a common seal, and enjoy such other immunities and privileges as necessarily belong to corporations by the laws of the State; *Provided*, That nothing in this Act shall be so construed as to confer banking privileges on the Company herein chartered.

Corporators.

Rights.

SEC. 2. *Be it further enacted*, That said corporation is hereby vested with power and authority to take a lease or leases of the Mississippi Central Railroad from the said Company, which is now the owner thereof, together with the franchises of said Company and the rolling stock in use upon the Railroad, and all appertenances of said Railroad, upon terms and conditions as may be agreed upon between the said Southern Railroad Association and the Mississippi Central Railroad Company.

May lease Miss. Central R. R.

SEC. 3. *Be it further enacted*, That the said Southern Railroad Association shall have power to be substituted as Lessees in the place of any party or parties who may have heretofore become Lessees of the said Mississippi Central Railroad, upon such terms and conditions as shall have been agreed to by the said Mississippi Central

Lessees, etc.

Railroad Company, the Southern Railroad Association, and the original Lessees.

SEC. 4. *Be it further enacted*, That the said Southern Railroad Association shall be bound to execute, perform, carry out in good faith all the covenants and agreements made or to be made by and between the said Association and the said Mississippi Central Railroad Company, so far as they are or shall be consistent with the laws of this State and the rights of other parties; and on failure of such performance, the said Mississippi Central Railroad Company shall be entited to its just remedy by action at law, or bill in equity, as the case may require.

To perform in good faith.

Action at law for failure.

SEC. 5. *Be it further enacted*, That the said Southern Railroad Association shall, and may exercise all the functions, powers, authorities, rights, liberties, privileges and franchises of the Mississippi Central Railroad Company to the extent, and for the time agreed upon in the contract of Lease made, or to be made by and between the said two Companies agreeable to the time, intent, and meaning of such contracts; and said Southern Railroad Association shall have a right to manage, run, use, occupy and repai said Railroad, with all its stock and appertunances, taking and receiving the tolls and profits thereof as fully as the said Mississippi Central Railroad Company might or could do under the present charter; *Provided*, however, that nothing herein contained shall authorize the said Southern Railroad Association to exercise any privileges or assume any power not granted to the said Mississippi Central Railroad Company by the existing laws of the State; *and provided, also*, that if the said Southern Railroad Association shall wilfully and persistently violate the obligations imposed upon the Mississippi Central Railroad Company by its Charter, to the injury of the public, or of the said last named Company, such misconduct shall be regarded as an abuse of this law, and upon proper judicial proceedings being had before any court of competent jurisdiction, the rights and privileges conferred by this Act may be declared to be forfeited, and shall thenceforth cease and determine.

Rights, powers and privileges.

Provisos.

Forfeiture.

SEC. 6. *Be it further enacted*, That the franchises of the Mississippi Central Railroad Company shall not be forfeited or impaired by reason of their exercise being suspended during the terms for which said Railroad shall be leased to the Southern Railroad Association; but at the expiration of said lease, the said Mississippi Central Railroad Company may resume the exercise of the said franchise as fully as if no lease had been made.

Franchises.

May lease any road.

SEC. 7. *Be it further enacted*, That the Southern Railroad Association shall have power to take a lease of any Railroad or Railroad route finished or unfinished, which the law of this State has authorized to be made, and which connects mediately or immediately with the line of the Mississippi Central Railroad, and may exercise the franchise of any Company now authorized to make or manage such road, upon terms to be agreed upon, with the same restrictions and liabities as are hereinbefore provided for in case of lease to it from the Mississippi Central Railroad Company; and if the said Southern Railroad Association shall build or extend any Railroad in pursuance of a contract which contains a stipulation that it shall keep possession of the Railroad so built or extended until the cost thereof be reimbursed, such contract shall be carried out in good faith by the parties thereto; and the right of the Southern Railroad Association to retain the road and exercise the franchises of the lessor until reimbursement is made shall not be questioned.

Retain possession.

Directors and other officers.

SEC. 8. *Be it further enacted*, That the direction and management of the Company hereby incorporated, shall be entrusted to twelve Directors, who shall choose from among themselves one person to be President, another to be Vice-President, and another to be Treasurer of said Company; and said Directors are hereby authorized to create such other officers in said Company as they may deem necessary, and to provide how the same shall be filled; the Directors shall be annually chosen on the first Wednesday of September, by the stockholders. The stockholders may vote by proxy, or in person, each stockholder having one vote for every share of stock held by him. The meetings for the election of Directors shall be held at such place as the President of the Company shall designate. Any holder of two shares of stock or upwards shall be eligible as a Director. The places of business for the President, Vice-President, Treasurer, Directors, and other officers of the Company, shall be designated in by-laws, and the Directors are hereby authorized to make by-laws for the government of said Company.

Election, etc.

Capital Stock

SEC. 9. *Be it further enacted*, That the capital stock of said Company shall be two millions of dollars, to be divided into shares of one hundred dollars each, and the same shall be transferrable in person or by attorney, on the books of the Company.

SEC. 10. *Be it further enacted*, That the first election of Directors shall take place on the first Wednesday in September, 1869, and in the meantime the affairs of the

Company shall be managed by the twelve stockholders having the largest number of shares, who shall have all the power and authority of Directors chosen by the stockholders, any three of the persons named in the first section of this Act may be Commissioners to take subscriptions until the 1st of January, 1869, after which time the stock-books shall be kept and subscriptions taken by the Treasurer, agreeably to such by-laws as the Directors may make on the subject. How managed

SEC. 11. *Be it further enacted*, That when stock to the amount of one million and two hundred thousand dollars shall have been subscribed to this Company, and paid in, and notice thereof shall be given to the Governor, the said Company shall be considered as organized, as having accepted the provisions of this Act and bound to perform in its part all the duties thereby imposed upon it. Organization.

SEC. 12. *Be it further enacted*, That the State of Tennessee, by granting this Charter does not in any way relinquish or surrender, or wave any lien she now has on the said Mississippi Central Railroad, its fixtures, franchises, rolling stock, or any thing else belonging to said Mississippi Central Railroad Company upon which the State now has a lien, or on any other Company that they may lease under the provisions of this Act; and also retain the same against the Company hereby chartered. Lien of the State.

SEC. 13. *Be it further enacted*, That said Company shall be liable to pay such taxes, as the Legislature may from time to time see proper to impose upon this and similar Companies, not exceeding the taxes imposed on property and privileges in this State, and this Act take effect from and after its passage. Taxes.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 11, 1869.

CHAPTER XXII.

AN ACT to Charter a Bank of Discount and Deposit at Bristol, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John G. King and George

R. McClelland and their associates, successors and assigns, be and they are hereby constituted a body politic and corporate by the name and style of the Bank of Bristol; shall have succession, with a common seal, for twenty years from and after the passage of this Act; and as such, may sue and be sued, plead and be impleaded, and have and possess all the powers incident to corporations that are necessary to carrying on the business and effects of the object contemplated by this Act.

Rights and powers.

SEC. 2. *Be it further enacted*, That the capital stock shall not exceed five hundred thousand dollars, to be divided into shares of one hundred dollars each, and not to be authorized to commence business until the sum of one hundred thousand dollars is paid in and entered upon the books of the corporation, said shares to be transferrable upon the books of the company, as the by-laws may prescribe.

Capital Stock

SEC. 3. *Be it further enacted*, That said corporation may deal in gold and silver coin and bullion, public and private securities, buy and sell any description of negotiable paper, buy and sell exchange, current and uncurrent bank bills, borrow and loan money or currency, discount notes and other evidences of debt, receive and keep deposits on such terms as may be agreed upon by the parties; *Provided*, that the said corporation shall not put out for circulation currency which is or may be forbidden by the laws of the country, to circulate in or out of the State.

Brokerage business.

SEC. 4. *Be it further enacted*, That said corporation shall, in no event, issue bills to circulate as currency, nor shall its discounts, at any time, exceed the amount of capital actually paid in, and two-thirds of its deposits.

Currency.

SEC. 5. *Be it further enacted*, That the Stockholders shall be liable, as general partners, for all of the debts of the corporation.

Liability.

SEC. 6. *Be it further enacted*, That said corporation may transact its business through such officers, agents and agencies as it may choose to appoint at Bristol, Tennessee, and prescribe such by-laws for its government as the Stockholders may deem necessary and proper for that purpose.

By-Laws, etc.

SEC. 7. *Be it further enacted*, That in consideration of the franchises enjoyed by this charter, said corporation shall pay into the public Treasury, for the use of the State of Tennessee, and be subject to such tax as the General Assembly of the State may, from time to time, impose upon similar institutions, on all the capital stock actually paid in.

Taxes, etc.

SEC. 8. *Be it further enacted*, That said corporation

may have a common seal, hold estate, so far as the same may be necessary for banking business, or may be received in payment of debts or otherwise necessary for the legitimate business of the corporation. Real estate, etc.

SEC. 9. *Be it further enacted*, That for the violation of any of the provisions of this charter the same may be declared null and void by the judgment of any court of competent jurisdiction, regularly obtained in due course of law; *Provided*, that no judgment of forfeiture shall operate so as to prevent said corporation from collecting its debts and closing its business. Forfeiture of Charter.

SEC. 10. *Be it further enacted*, That J. M. Alexander, Benjamin Cunningham, W. J. Pollard and their associates, successors or assigns, be and they are hereby incorporated a body corporate and politic under the name and style of the Sevier Bank, and by that name shall be capable, in law and equity, of suing and being sued, pleading and being impleaded, to have, purchase, hold, possess, receive and retain unto themselves and their successors, associates or assigns, lands, tenements, franchises, goods, chattels and effects of any kind whatever, and the same to sell, grant, demise, alien, and dispose of at their please, and also to have and use a common seal, and to alter the same at pleasure. Sevier Bank. Rights and privileges.

SEC. 11. *Be it further enacted*, That the capital stock shall be one hundred thousand dollars, with the privilege of increasing the same to five hundred thousand dollars, and installments may be called in by the Board of Directors as they may deem necessary. This company may organize by electing a President and such other officers as they see proper, and may commence business when one hundred thousand dollars of the capital stock has been subscribed. The charter hereby granted shall be and remain in force for and during the period of fifty years. Capital stock, etc.

SEC. 12. *Be it further enacted*, That this corporation shall be vested with power to grant credits, both foreign and domestic, receive money on deposit, buy and sell foreign and domestic exchange, to discount promissory notes, bonds, stock, mortgages, or such other claims as they see proper, loan money on real estate; but in no case shall they issue notes to be used as a circulating medium. Powers, etc.

SEC. 13. *Be it further enacted*, That persons subscribing to or owning stock in said corporation, shall be liable for the debts and liabilities of said corporation, in proportion to the amount of their stock. Liability.

SEC. 14. *Be it further enacted*, That this corporation shall be subject to such taxes as are imposed on similar Taxes.

incorporations in this State; and this Act shall take effect from and after its passage.

Colored Ben. Society.

SEC. 15. *Be it further enacted*, That section 10 of An Act entitled "An Act to incorporate the Nashville Colored Benevolent Society," passed March 14, 1868, be so amended as to strike out the word "Nashville," and insert the word "National," in its stead, and that the proviso of said section 10 be and the same is hereby repealed.

Emmet Bank.

SEC. 16. *Be it further enacted*, That the name of the Emmet Savings Institution, located in the city of Memphis, in this State, be changed to the Emmet Bank.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 12, 1869.

CHAPTER XXIII.

AN ACT to Incorporate the Paris Iron and Coal Mining Company, in the County of Marion, Tennessee.

Corporators.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John W. Brown and George L. Gillespie and their associates assigns be, and they are hereby constituted a body politic and corporate by the name and style of the Paris Iron and Coal Mining Company, and by that name and style shall have thirty-three years' succession, and shall be competent to sue and be sued in any court of equity or law whatever, to have and use a common seal, and to alter the same at pleasure, to establish and change any by-laws for the government of said company, not inconsistent with the Constitution and laws of Tennessee, to purchase, hold and dispose of such real estate, leases, mines, minerals, iron and coal and personal property as may be necessary for the legitimate transaction of their business, to mine, forge, roll, smelt,

Gen'l powers, rights and privileges.

transport, work, manufacture, refine and vend said mineral, iron, stone, coal and other minerals and products thereof, and issue such number of shares of the stock of said company at the representative par value thereof, as may be ordered by a vote of said company to determine the par value of shares, and have the right to pay in shares of stock of the corporation for such mining

interest or interests in real estate, as may be necessary to purchase or lease for the operation of the works of the company, and generally to have, enjoy and exercise all rights and privileges incident to corporations, except the right to issue notes or engage in banking.

SEC. 2. *Be it further enacted*, That this corporation shall be subject to such taxes as may be imposed on similar corporations in this State, and that this Act take effect from and after its passage. Taxes.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 18, 1869.

CHAPTER XXIV.

AN ACT to Incorporate the Jamestown and Crossville Turnpike Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Julian F. Scott, E. S. Jones and Samuel F. Scott, their associates and successors are hereby incorporated and are made a body politic, to be called the Jamestown and Crossville Turnpike Company, with power and authority to constitute, continue and keep in repair a turnpike road, commencing on the south side of Jamestown, Fentress County, Tennessee; thence running in the direction of Crossville, Cumberland County, Tennessee, passing the Nashville road at what is called the Burnt Stand, near the Kunze place, crossing Oby's River at or near Drury Adams; thence running the most practical route to Crossville, Cumberland County, Tennessee. Corporators. Route of road.

SEC. 2. *Be it further enacted*, That said road in all respects be open and kept in repair as prescribed by An Act passed November 16, 1819, entitled "An Act to open and establish a turnpike road from a point at or near Dawdson's, on Pile's Turnpike road, intersecting the Cumberland Turnpike road between Robert Johnson's and the Standing Stone, and for other purposes," and the proprietors of the road shall have thereby established, shall have the same tolls, rights, pow- Privileges and liabilities

ers and privileges as are conferred by said Act, and the proprietors of said road in all respects be under the same liabilities and restrictions.

Commissioners.

SEC. 3. *Be it further enacted*, That Johnson Hall, of Fentress County, and John C. Wyatt and Jacob Wyatt, of Cumberland County, Tennessee, be, and are hereby appointed Commissioners of said turnpike road, who shall perform the same duties, take the same oath, and receive the same compensation prescribed for the Commissioners of the road by the Act of 1819.

Gate.

SEC. 4. *Be it further enacted*, That the said company be, and they are hereby authorized to erect and keep a gate on said road at the most practicable point on said road.

Gal., Leb. and Mur. R. R. Co.

SEC. 5. *Be it further enacted*, That the name of the Gallatin and Lebanon Railroad Company, incorporated under an Act passed on the —— day of December, 1867, be, and the same is hereby changed to that of the Gallatin, Lebanon, and Murfreesboro Railroad Company.

May extend line.

SEC 6. *Be it further enacted*, That said Gallatin, Lebanon and Murfreesboro Railroad Company shall have power to extend the line of their road to the town of Murfreesboro, county of Rutherford, and connect with the Nashville and Chattanooga Railroad, with all the powers, rights, privileges and immunities, subject to the same restrictions and liabilities as granted to them under their said charter passed December, 1867, and to enable said company to carry out such extension they are hereby authorized to increase their capital stock to such an amount as may be necessary for said purpose, and the county of Rutherford and town of Murfreesboro, are hereby authorized to make subscriptions in bonds or money, to the capital stock of said Gallatin, Lebanon and Murfreesboro Railroad Company, under said Act of December, 1867, incorporating said Company.

Capital Stock, etc.

SEC. 7. *Be it further enacted*, That all laws or parts of laws conflicting with the provisions of this Act in so far as they do conflict, be, and the same are hereby repealed.

Jer. Wright may open Turnpike.

SEC. 8. *Be it further enacted*, That Jeremiah Wright and his associates are hereby authorized to open and keep in repair a Turnpike road, commencing at the three Forks of Wolf River or near there, in the county of Fentress, and ending at the Clear Fork on the Cum-

berland Mountain in said county, a distance of twenty-one miles, and on the same ground the old road was located, formerly owned by Robert Hurst and Ely F. Johns, which charter for some cause has been abandoned by same, and the same Jeremiah Wright and his associates shall have power to alter and change said road at any point on the same that they may think advisable, to improve the location of the same; *And provided further*, That said road shall be made a good second class dirt road at all points on the same where it is practicable to do so. May change route of road.

SEC. 9. *Be it further enacted*, That the privilege granted by this charter shall continue for thirty years, and no longer.

SEC. 10. *Be it further enacted*, That whenever said company shall prepair ten and a half miles of said road, commencing at the Three Forks of Wolf River or near there, according to the provisions of this charter, then the Commissioners hereafter provided for and appointed, shall go over the same, and if they report to the County Court of the county of Fentress, that the said road is in the repair contemplated by this charter, then the said company shall have the privilege of erecting one gate upon any part of said road so completed, and charge and receive one-half of the following rates of toll to-wit: From all persons except the citizens of said county, traveling on horseback, leading or driving stock, the following rates: For each man and horse, fifteen cents; for each wagon drawn by two horses, mules or oxen, forty cents; for each wagon drawn by more than two horses, mules or oxen, seventy-five cents; for each wagon drawn by six horses, mules or oxen, one dollar and twenty-five cents; for each cart drawn by one horse, mule or yoke of oxen, thirty cents; for each buggy and horse or mule, fifty cents; for each pleasure carriage drawn by two horses or mules, seventy-five cents; for each head of horses, mules, cattle, hogs or sheep, in drove or led, five cents. Repairs, etc. Gate. Rates of toll.

SEC. 11. *Be it further enacted*, That any person attempting to avoid the payment of toll at said gates, arbitrarily or going round the same to avoid payment, shall forfeit and pay to the proprietors of said road the sum of twenty-five dollars, to be collected before any acting Justice of the Peace for said county. Attempt to avoid paym't.

SEC. 12. *Be it further enacted*, That John C. Wright and J. C. Taylor are hereby appointed Commissioners, whose duty it shall be to go over said road, whenever

Commissioners to review. notified by the proprietors of the completion of the same, and review said road at least once every six months, and if at any time the proprietors should suffer said road to be, and remain out of repair for fifteen days after being notified, then the Commissioners shall have full power to set open the gates on said road, and it shall not be lawful for the proprietors to charge and receive toll at said gates until the said proprietors shall have put said road at all points on the same in repair as required in this charter.

Repairs.

Fees. SEC. 13. *Be it further enacted*, That said Commissioners shall receive two dollars each per day from said proprietors, for their services [in] reviewing said road; and this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 19, 1869.

CHAPTER XXV.

AN ACT to Incorporate the Center City Mills at Jackson, Tennessee, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That P. D. W. Couger, Robert B. Hurt, B. A. Hays, James Harrison and N.

Corporators. H. Whitton, their associates and successors, are hereby incorporated under the name and style of the Center City Mills at Jackson, Tennessee. Said Center City Mills incorporation may use a common seal, and change the same at pleasure, may sue and be sued, plead and

Rights. be impleaded in any Court of Record, and enjoy all the immunities and privileges which are granted to other companies of the same kind.

SEC. 2. *Be it further enacted*, That said incorporation shall have power to fill any vacancies in their body caused by death, resignation or otherwise; to make

Gen'l powers. their own by-laws and regulations, not inconsistent with the laws of the State and of the United States, and the same shall have succession for thirty-three years.

SEC. 3. *Be it further enacted*, That J. H. Harper, J. R. Chappell, Thomas Beverage, Jno. Goodwin and James O'Conner, their associates and successors in office,

be, and the same are hereby incorporated and created a body politic and corporate with succession for thirty-three years under the name and style of the Jackson Machine Shop and Foundry Company, with full power in their corporate capacity to sue and be sued, plead and be impleaded in any Court of the State of Tennessee. Jackson Mac. Shop and Foundry Co.

SEC. 4. *Be it further enacted*, That the said corporation shall have, and are hereby invested with all legal powers and capacities to buy, receive, possess, hold and dispose of any property they may deem proper for the benefit of said corporation. Legal powers, etc.

SEC. 5. *Be it further enacted*, That the said corporation shall have power to fill all vacancies in their body, caused by death, resignation or otherwise; to make their own by-laws and regulations, not inconsistent with the laws of the State and of the United States. Gen'l powers.

SEC. 6. *Be it further enacted*, That the charter of the Chattanooga Bridge Company granted by the Legislature of Tennessee, March 11, 1867, be so amended as to allow said Company to construct a bridge across the Tennessee River at any point the Directors of said Company may select, and that they be, and are hereby empowered and authorized to contract with the Chattanooga and Cincinnati Railroad Company for the construction of said bridge, and: *Be it further enacted*, That J. R. Slayton and E. A. James be added to the original incorporators with all powers and privileges of the same. Chattanooga Bridge Co.

SEC. 7. *Be it further enacted*, That additional time of three years be, and is hereby granted the Chattanooga Gas Light Company (incorporated by Act of the Legislature of Tennessee, passed January 23, 1866) in which to construct their Gas Works in the city of Chattanooga, Tennessee. Chattanooga Gas Light Co.

SEC. 8. *Be it further enacted*, That Geo. Holbrook, E. S. Faulkinburg, P. Ritchie and Wm. A. Hartwell, and their associates, successors and assigns be, and are hereby created a body corporate and politic, under the name and style of the Cumberland Lumber and Manufacturing Company, for the purpose of the cutting of logs of all kinds into lumber, and the manufacturing of lumber into doors, sash, blinds, and into such articles as the Directors deem most beneficial to the community and profitable to the corporation; and that they be allowed the same rights and privileges, and subject to the same restrictions of the Tennessee Mining and Commercial Company, and that the capital stock of the Cumberland Lumber and Manuf. Co. Rights, privileges, etc.

said Cumberland Lumber and Manufacturing Company shall not be less than twenty thousand dollars, but may be increased to one hundred thousand dollars, divided into shares of five hundred dollars each.

Liability, taxes, etc.

SEC. 9. *Be it further enacted*, That each stockholder in said Company shall be individually liable only for the amount of stock owned by him, and no assignment or transfer of stock shall be made until it has been first offered for sale to the Board of Directors of said Company and been by them rejected. This Company shall pay such taxes as are paid by similar corporations in the State of Tennessee.

Town of McKenzie incorporated.

SEC. 10. *Be it further enacted*, That the citizens of the town of McKenzie in Carroll County, Tennessee, be, and they are hereby incorporated by the name of the Mayor and Aldermen of the town of McKenzie, and by that name may sue and be sued, plead and be impleaded in any of the courts of law or equity in this State, may contract and be contracted with, receive and hold real and personal property for the use and benefit of said corporation; assess and collect taxes to improve the streets, alleys and public squares, make and use a common seal; pass all laws and ordinances necessary to preserve the peace and good order of the town not inconsistent with the Constitution and laws of this State.

Boundary line

SEC. 11. *Be it further enacted*, That the boundary of said corporation shall be as follows: Beginning at a stake six hundred yards due north of the crossing of the Memphis & Ohio Railroad, and the Nashville & Northwestern Railroad, runs thence due west six hundred yards to a stake; thence due south twelve hundred yards; thence due east twelve hundred yards; thence due north twelve hundred yards; thence due west six hundred yards to the beginning.

Election for officers.

SEC. 12. *Be it further enacted*, That there shall be elected by the legal voters of said town, a Mayor and five Aldermen, who shall hold their office for twelve months, and until their successors are elected and qualified; and it shall be the duty of the Register of voters for Carroll county, after giving ten days' notice, by advertisement in the town of McKenzie, to open and hold said election in the town of McKenzie on the last Saturday in February, 1869. The person receiving the highest number of votes for Mayor shall be declared elected, and the five persons receiving the highest number of votes for Aldermen shall be declared elected Aldermen, and it shall be the duty of the persons thus elected, within ten days after their election, to take an

oath to support the Constitution of the United States, and of this State; and to faithfully and honestly discharge the duties of Mayor and Aldermen of the town of McKenzie, and to organize by the election of one of their number as Recorder, who shall give bond and security in such sum as the Mayor and Aldermen may require, conditioned for the faithful discharge of his duties as Recorder; and it shall be his duty to keep a correct record of the proceedings of said Board, and to collect and account for all taxes levied by said Board upon privileges, shows, etc. Organization, etc.

SEC. 13. *Be it further enacted*, That said Board shall elect a Town Constable and regulate his fees of office; he shall give bond with security to said Board in such sum as they may require for the faithful discharge of his duties as Constable; he shall execute all processes to him directed by the Mayor, and arrest all persons for a violation of the laws and ordinances of said corporation, and collect all taxes assessed by said Board upon the property in said corporation. Town Constable.

SEC. 14. *Be it further enacted*, That said Mayor and Aldermen shall lay off said town with such streets, alleys and squares, as they may believe the welfare of the citizens of the town may require.

SEC. 15. *Be it further enacted*, That the Mayor of said town shall have power to try all persons for a violation of the laws and ordinances of said town, and impose such fines and imprisonment as may be authorized by said laws and ordinances; he shall have power to enforce the payment of such penalties as may be imposed by execution; said Board shall regulate and fix the fees of the Mayor for the discharge of the various duties imposed upon him by this Act; he shall have power to administer all necessary oaths. Powers of Mayor.

SEC. 16. *Be it further enacted*, That the election for Mayor and Aldermen shall be holden annually on the last Saturday in February, and shall be holden after the first election by the Town Constable of said town.

SEC. 17. *Be it further enacted*, That the citizens of the town of Henderson Station, in Madison county, Tennessee, be, and they are hereby incorporated by the name and style of the Mayor and Aldermen of the town of Henderson Station; and by that name to have and exercise all the powers, rights and privileges conferred upon the Mayor and Aldermen of the town of McKenzie in Carroll county, Tennessee. Henderson Station incorporated.

SEC. 18. *Be it further enacted*, That the boundary lines of said corporation shall be as follows: Beginning at a stake on the Mobile & Ohio Railroad, one half of

Boundary line.

a mile north of the depot at Henderson Station, runs west one-half of a mile to a stake, thence south one mile to a stake, thence east one mile to a stake, thence north one mile to a stake, thence west one-half mile to the beginning.

SEC. 19. *Be it further enacted*, That this Act take effect and be in force from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 19, 1869.

CHAPTER XXVI.

AN ACT to Authorise the Erection of a Fish-Trap in the Powells River.

Silas Williams.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Silas Williams, of the county of Union and State of Tennessee, be and he is hereby authorized to erect a fish-trap in the Powells River, on what is known as the Big Shoals, above the mouth of Capp's Creek; *Provided*, that the erection of said fish-trap shall, in no wise, obstruct the free navigation of the said river.

Reuben Craig and others.

SEC. 2. *Be it further enacted*, That Reuben Craig, Evins Baker, George Heatherly, William Robins and James H. Grant, each be allowed to erect one fish-trap in the waters of Powells River, each one opposite his own lands, *Provided*, the erection of said fish-traps shall not obstruct the navigation of said river in the regular boating channels.

W. H. Sharp.

SEC. 3. *Be it further enacted*, That William H. Sharp, of Union County, be and he is hereby authorized to erect a fish-trap in the Clinch River, above what is known as Russell's Ford; *Provided*, said fish-trap shall, in no wise, obstruct the free navigation of said river.

D. Regan.

SEC. 4. *Be it further enacted*, That David and Daniel Regan are hereby granted permission to build a fish-trap and dam of any hight and length they may desire, in the Nolichuckey River, within one mile of the mouth of Little Limestone Creek, in the county of Washington.

G. P. Brooks.

SEC. 5. *Be it further enacted*, That George P. Brooks, of Claiborne County, be and he is hereby authorized to

erect a fish-trap in Powell's River, opposite the lands of the said Brooks; *Provided*, the erection of said fish-trap shall, in no wise, obstruct the free navigation of said river.

SEC. 6. *Be it further enacted*, That this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 19, 1869.

CHAPTER XXVII.

AN ACT to Amend An Act Incorporating the Mississippi Valley Insurance Company, passed November 17, 1865.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That for the object and purpose of doing away with notes, as part of the capital stock of the Mississippi Valley Insurance Company, and of making the capital stock of said company all cash, that the second section of said Act, passed November 17, 1865, be and the same is hereby so amended, that the Directors of the Mississippi Valley Insurance Company shall have power to reduce the capital stock of said company to any amount not less than one hundred thousand dollars in cash ($100,000), that they, in their judgment, may deem advisable for the best interests of said company; and that they shall have power to reduce the number of shares of the capital stock of said company in the same proportion that they reduce the amount of the capital stock of said company, so that each and every share shall be and represent one hundred dollars in cash.

May reduce Capital and Shares.

SEC. 2. *Be it further enacted*, That section eight of said Act, passed November 17, 1865, be and the same is hereby so amended that in the election of Directors of the Mississippi Valley Insurance Company, each and every stockholder of said company shall be entitled to one vote for each and every share of stock he may own in said company.

Voting.

SEC. 3. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 22, 1869.

CHAPTER XXVIII.

AN ACT to Incorporate the Howard Association of Memphis.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John Parke, R. A. Simpson, J. G. Lousdale, John Heart, E. T. Geogehan, R. W. Ainslie, J. B. Gallagher, T. E. McDonald, A. A. Hyde, and J. P. Robertson and their associates be, and they are hereby declared a body politic and corporate, with ninety-nine years' succession, by the name of the Howard Association of Memphis, whose object shall be to provide nurses and necessaries for those who may be taken sick, who are without means and without funds, and particularly during the prevalence of epidemics. Said association, by this name, may contract and be contracted with, may sue and be sued in all courts, as other chartered corporations, in all matters whatsoever, and have full power to acquire, hold, possess and enjoy by gift, grant or otherwise, and the same to sell and convey any or all such real, personal or mixed estate, and invest and reinvest the same from time to time, as may be necessary for the benefit, support and purposes of said Howard Association of Memphis, or which may be conveyed to the same for the security or payment of any debt or debts which may become due and owing to said association, and may make, have and use a common seal, and the same break, alter or renew at pleasure; *Provided*, that the property, funds and revenue of said Howard Association of Memphis, shall not be used for any other than the purposes of said association, and that all of said real, personal or mixed estate shall be exempt from State, county and corporation taxes and assessments, as the sole object of the association is relief of the destitute.

Corporators.

Objects.

Rights and powers.

Proviso.

SEC. 2. *Be it further enacted*, That the real and personal estate property, and funds and revenues of said association

and the administration of its affairs shall be under the exclusive direction and control of the active members of said Howard Association of Memphis. That the parties named in the first section of this Act, or any five of them, may call the subscribers of said association together after having given five days' notice in some daily paper, published in the city of Memphis, and proceed to organize the same by electing a President, two Vice Presidents, Treasurer, Secretary, and six Directors, who shall constitute an Executive Committee, five of whom shall be a quorum, who shall conduct the affairs of the association, and who shall continue in office until a new election is made. The regular election for officers shall be made on the first Monday in April, 1868, of which due notice shall be given in a daily paper published in Memphis. The members of said Howard Association of Memphis shall make such by-laws and regulations for the admission of members and the government of the association as they may deem necessary; *Provided*, that no by-laws, rules or regulations shall, in any wise, be contrary to the Constitution and laws of the State of Tennessee or the United States.

How managed

Meeting to organize.

By-Laws, etc.

SEC. 3. *Be it further enacted*, That all the effects, real, personal and mixed, of every description, belonging to the said Howard Association, that may be remaining on hand at the expiration of this charter, shall be turned over to the Board of Mayor and Aldermen of the city of Memphis, or to whomsoever may be the representatives of the people of said city at that time, for the benefit of the poor and destitute people thereof.

Property, etc.

SEC. 4. *Be it further enacted*, That section 4 of An Act entitled "An Act to amend the charter of the town of Morristown," passed March 14, 1868, be and the same is hereby amended by the addition thereto of the following proviso, to-wit: *Provided*, that the condemnation of lands and lots in the city of Memphis, for unpaid city taxes, shall be made in the Law Court of Memphis, as heretofore.

Memphis City taxes.

SEC. 5. *Be it further enacted*, That chapter 85, passed March 9, 1868, entitled "An Act to compel voters to register in their respective wards," etc., or so much of the same as relates to new voting places in the different wards of the city of Memphis be in full force and effect from its passage.

Voting places

SEC. 6. *Be it further enacted*, That so much of the charter of the city of Memphis as provides for the removal of city officers, elected by the people, by a two-thirds vote of the Board of Aldermen, be and the same is hereby repealed, and that no such officer can be

Removal of City officers.

removed except in such manner as Sheriffs of the State are removed.

Appointm'ts.

SEC. 7. *Be it further enacted*, That all officers elected by the people (except the Mayor) shall have full control and power to hire and appoint all men in their respective departments, and the Mayor or Board of Aldermen shall have no jurisdiction in the matter whatever.

Contracts for work.

SEC. 8. *Be it further enacted*, That all contract for work in the different departments of the city shall be let by the Chiefs of the respective Departments to which such work belongs, subject only to the approval of the Board of Aldermen.

SEC. 9. *Be it further enacted*, That all laws and parts of laws coming in conflict with the above, be and the same are hereby repealed.

SEC. 10. *Be it further enacted*, That the foregoing Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 23, 1869.

CHAPTER XXIX.

AN ACT to Incorporate the Memphis Preserving Company.

Corporators.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Charles P. Norris, H. C. Norris, Dickson Cunningham, F. S. Davis, J. J. Murphy and Henry J. Lynn, their associates, successors and assigns be, and they are hereby created and constituted a body politic and corporate, by the name and style of the Memphis Preserving Company, and by that name shall have all the powers and privileges necessary and incident to carrying out the object of said corporation, which are the preserving the fruits, meats, beer, and all such other things of the same general character as the Managers or Directors of said corporation may see fit to undertake.

Powers.

Privileges and rights.

SEC. 2. *Be it further enacted*, That said corporation shall have power to make and use a common seal, to alter and change the same at pleasure; to make and adopt such by-laws as may be necessary and useful, not inconsistent with the laws of the State of Tennessee or

the United States, and to alter and change the same; to sue and be sued, to plead and to be impleaded, to have succession for thirty (30) years; to purchase and hold such real estate or personal property as may be convenient or necessary for the use of the corporation, and to sell and convey the same; to hold real estate taken in payment of debt, and to sell and convey the same.

SEC. 3. *Be it further enacted*, That the capital stock of of said company shall be fifty thousand ($50,000) dollars, in shares of one hundred ($100 00) dollars each, and that said company shall organize when all of said capital stock shall be subscribed, and fifty per cent. of the same shall be paid in; that each share of stock shall be entitled to one vote in the elections for officers or other purposes, and the same shall be voted by the owner or by proxy. That said company shall have a President and such other officers officers or agents as shall be by the by-laws designated, and the time and manner of holding all elections shall be as designated by the by-laws.

Capital Stock

Officers.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 26, 1869.

CHAPTER XXX.

AN ACT to Charter the Memphis City Schools.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Memphis City Schools shall hereafter be placed under the exclusive management and control of a Board of Education consisting of two members from each ward of the said city, elected as hereinafter directed, and that said Board are hereby created and constituted a body politic and corporate by the name and style of the Board of Education of the Memphis City Schools who shall have succession for ninety-nine years, and by the name and style aforesaid, may purchase, receive, hold and possess

Board of Education.

property of any kind for the use of said City Schools; may sue and be sued, plead and be impleaded; answer and be answered unto in all Courts of Record and Courts of inferior jurisdiction. And said Board shall have power to make, have and use a common seal, the same to break, alter and renew at their pleasure, and generally to do and execute all acts, matters and things which a corporation or body politic in law may and can lawfully do and execute.

Powers and privileges.

SEC. 2. *Be it further enacted*, That the present incumbents acting as the Board of Visitors of the Memphis City Schools, are hereby declared to be members of the said Board of Education from their respective wards, and shall hold office until successors shall be chosen as hereinafter provided.

Board of Visitors.

SEC. 3. *Be it further enacted*, That the members of said Board of Education shall be chosen in each ward of the city of Memphis by ballot on the first Saturday in March this year, and hereafter on the first Thursday in January of each and every year. One half the Board shall be elected by such voters as are entitled to vote for Mayor and Aldermen of said city, and the President of the Board of Education shall cause at least ten days previous notice of said election in one or more newspapers in said city, said election to be conducted by the Register as for other city officers, and the cost to be paid by the Board of Mayor and Aldermen, one half the Board to be elected to serve till January, 1870, the other half to serve till January, 1871, or until their successors are elected. The first election shall be determined by lot whether the candidates were elected for the long or short term at the first meeting of the Board in January, 1870, and each year thereafter the election shall be held for the Board of Education at the same time and place the election is held for municipal officers; their term shall be two years.

Annual Election.

Term of office, etc.

SEC. 4. *Be it further enacted*, That at the annual election in March, 1869, as provided in section 3d of this Act, the qualified voters of each ward shall be called upon to give in their ballots for two inhabitants of the ward for members of the Board of Education of the Memphis City Schools and the person who receives the highest number of votes, or in case two, or more than two, receive an equal number of votes, the person who is senior of age and residence in the ward shall hold the office, and the members so chosen shall take the seats of those members of the present Board now

How election determined.

holding the term of office as shown by the approved minutes of said Board, and at every subsequent electoin one person shall be chosen in each ward to be a member for two years.

SEC. 5. *Be it further enacted*, That the persons so chosen as members of the Board of Education shall meet and organize on the second Monday in March, 1869, and second Monday in January of each year thereafter by choosing a President, Vice President, Secretary and Treasurer before transacting any business. They may adjourn from day to day until the organization is perfect. Annual meeting for business, etc.

SEC. 6. *Be it further enacted*, That the Board of Education shall choose from their own number a President and Vice President and appoint either from their own number or without their body a Treasurer and Secretary and such other officers and servants as to them shall seem necessary to accomplish the object of the corporation, and shall prescribe the powers, duties, obligations and compensation of the same. The Treasurer and Secretary shall give bonds in such penalty as the Board may direct for the faithful performance of their duties, and with such securities as the Board may approve, and all contracts, orders, drafts upon the School Fund, notes, bonds, obligations, conveyances, transfer of real estate, and all other instruments of writing made, or ordered to be made or executed by the Board, shall be signed by the President and shall be countersigned by the Secretary or by such other person as shall duly and legally be authorized by said Board, and when necessary sealed with the corporate seal of the Board. Officers' duties, pay, etc. Bonds, etc.

SEC. 7. *Be it further enacted*, That said Board shall have power to judge of the qualifications of its members, to punish members for disorderly conduct at the meetings of the Board, or in the discharge of their duty as members of the Board of Education, and with the concurrence of two thirds of the members elected, expel a member. Said Board shall have power to employ and dismiss superintendents, teachers, agents, servants, etc., and determine their compensation; to contract for school rooms, purchase maps, globes and whatever else they may deem necessary for the proper instruction of pupils, and adopt such rules and regulations for their own government, and for the government of the schools as they may deem expedient, keeping a full record of their proceedings, and said Board shall have power to fill vacancies occurring in their own body. Gen'l powers of Board.

SEC. 8. *Be it further enacted*, That no one shall be admitted as a free pupil in said City Schools except the children of persons who are *bona fide* residents within the limits of said city, but the Board of Education may admit children living beyond said limits upon payment in advance to the Secretary or Treasurer of such tuition fees as they shall prescribe, and such payment may also be taken for pupils whose parents or guardians reside out of said city, but permit their children or wards to reside within it to attend the said city schools, and the Board may at their discretion prescribe higher branches of study than those which are commonly taught in the public schools of other cities.

Free Pupils, etc.

SEC. 9. *Be it further enacted*, That all moneys accruing from the State School Fund to those civil districts of Shelby County, which embrace within their boundaries any portion of the city of Memphis shall be paid directly by the State Superintendent to the Treasurer of the Board of Education in the proportion to which those portions are entitled by their amount of scholastic population; *Provided*, That no school moneys shall be paid over by the State Superintendent of Instruction to said City School Treasurer until said City Board of Education shall have returned to him the scholastic population, and made all other reports required by them in accordance with the general school laws of the State, and the Board of Education shall in the month of December each year, make an estimate of the expenses of the City Schools for the next ensuing year and report the same to the Mayor and Board of Aldermen, who shall thereupon proceed to levy a tax upon such property as is taxed for other city purposes, sufficient to cover such expense; *Provided*, It shall not exceed the ratio of ten dollars for every youth between the ages of six and twenty years, and the Mayor and Board of Aldermen of the City of Memphis shall be held responsible for the collection of said tax. The tax to be called the School Tax, shall be collected by the Tax Collector of the City of Memphis, as other city taxes are, and said Tax Collector shall at least once in every year, and oftener if required, in writing, by the Secretary or President of the Board, faithfully and punctually pay over to the Treasurer of the Board of Education, all money collected for the School Fund subject to the orders of the Board, and the Tax Collector and his securities shall be held responsible for the faithful performance of this provision of the Board of Education. No certificate of indebtedness except the warrant issued

School money of Memphis.

Estimate of expenses, etc.

Tax Collector

by the said Board shall be received in payment of said School Tax.

SEC. 10. *Be it further enacted*, That the Board of Education shall have power to purchase lots, and contract for the erection of school buildings thereon; *Provided*, The cost of said lots and buildings shall not exceed the sum of fifty thousand dollars per annum for the term of ten years, from the 14th day of January, 1869, unless authorized to exceed the amount by a vote of the citizens in their respective wards, at an election held for that purpose by the Board of Education, and the Mayor and Board of Aldermen of the city of Memphis, are hereby required to make immediate provision for the payment of the same, to do which they shall have power to levy a special tax upon such property as is taxed for other city purposes, either for the whole or in part of the required amount, and the better to enable them to provide such means promptly and lessen the burden of immediate taxation, said Mayor and Board of Aldermen may, at their discretion, issue the bonds of said city; if issued, not to exceed in all the sum of five hundred thousand dollars, having not more than thirty years to mature, and bearing six per cent. interest per annum, payable semi-annually in the city of New York or in Memphis, as they may designate, for all or any portion of the required amount, and all money accruing from such tax. And said bonds, if issued, shall be paid at once to the Treasurer of the Board of Education, and shall be known as School Bonds, and the semi-annual interest that may become due on the same, shall be provided for by the Board of Mayor and Aldermen, as may be required by the Board of Education in addition to the school tax heretofore provided for in section 9. And the Board of Mayor and Aldermen shall be required to provide a sinking fund to pay the principal of said bonds; and so soon as the bonds of the Mayor and Board of Aldermen of the city of Memphis shall have been issued for the purposes named in this section, they shall constitute a lien on the real property belonging to the said Board of Education, and the holders of said bonds shall be invested with said lien without a mortgage or deed from the said Board of Education, to secure the payment of said bonds as well as the interest thereon, as the same becomes due.

Lands and Buildings.

School Bonds.

Lien for payment.

SEC. 11. *Be it further enacted*, That at the close of every scholastic year on the 30th of June, the Board of Education shall publish for the information of their con-

Annual Report.

stituents an annual report, setting forth their principal doings and expenses for the year, together with their estimate of expenses for the succeeding year.

SEC. 12. *Be it further enacted*, That no member of the Board of Mayor and Aldermen, or officer of the corporation of the city of Memphis elected, shall be eligible to membership in the Board of Education, nor any person who has not been a resident of the ward from which he is elected at least twelve months prior to his election; and if any person who shall have been elected from the city shall move from said city, he shall vacate his seat in said Board, and the vacancy shall be filled by the Board as soon as may be, by a citizen possessing all the qualifications required by this Act.

Ineligibility.

SEC. 13. *Be it further enacted*, That the title to the school houses, sites, lots, furniture, books, apparatus and appurtenances, and all other school property in this Act mentioned, shall be, and is hereby vested in the Board of Education of the Memphis city schools, and the same while used or appropriated for school purposes or any other property, the title of which is vested in the Board of Education, shall not be subject to taxation or assessments. All property leased by said Board shall be subject to taxation while in the possession of the said Board of Education for educational purposes.

Title, taxes, etc.

SEC. 14. *Be it further enacted*, That said Board of Education shall provide and maintain separate schools for the use and accommodation of the white and colored youths of the city, entitled to admission in the public schools of the city of Memphis, subject in all respects to the same rules, regulations and treatments.

Separate Schools.

SEC. 15. *Be it further enacted*, That the School Board shall make out a sworn statement of receipts and expenditures, and publish the same for the information of the people. That all Acts or parts of Acts coming in conflict with this Act are, and they are hereby repealed; and that this Act take effect from and after its passage.

Receipts and expenses.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 27, 1869.

CHAPTER XXXI.

AN ACT to Incorporate the Empire Paving, Roofing, and Manufacturing Company of Memphis, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That G. H. Becker, R. D. Baugh, Thomas B. Mynatt, J. D. Ruffin, and A. J. West, and their other associates, and their successors be, and they are hereby created a body politic and corporate, under the name and style of the Empire Paving, Roofing and Manufacturing Company of Memphis, Tennessee, for the purpose of manufacturing Becker's new invented Iron Stone Compound, and of paving side walks and streets with wood, brick, stones, or Becker's new invented Iron Stone Compound, or any other material; and for roofing houses with tin, sheet-iron, slate, shingles, planks or Becker's new invented Iron Stone Compound, or other material, and as such have succession for thirty-three years; may sue and be sued, may contract and be contracted with, may have a common seal, may purchase and hold real and personal estate, or may lease and hold lands for the purpose of carrying on their operations, with rights, powers and privileges necessary and proper for them as an incorporated company. Corporators. Purposes and privileges.

SEC. 2. *Be it further enacted*, That the capital stock of said company shall be not less than fifty thousand dollars, or more than five hundred thousand dollars, divided into shares of twenty-five dollars each, and when two thousand shares shall have been subscribed, and ten per centum paid thereon, the stockholders may meet and elect a Board of Directors to consist of not less than five or more than fifteen, and said Directors shall elect one of their number President during their term of office. Capital Stock, etc.

SEC. 3. *Be it further enacted*, That the affairs of said company shall be managed by a Board of Directors to be elected annually, consisting of not less than five, and such agents and officers as they shall appoint. A Secretary and President shall be elected annually by the Directors, and all vacancies happening in said offices may be filled by the Board for the remainder of the year for which they were elected. The Board shall have power to declare by by-laws, what number of Directors, less than the whole, shall constitute a quorum for the transaction of business, as also the number of Directors to be elected for the ensuing year, and the time and place of holding the annual elections. The How manag'd Quorum, etc.

Directors shall have power to require security in all stock subscribed and not paid in, if they deem it expedient for the safety of the company; and generally to adopt that course they think best calculated to advance the interest of the company.

SEC. 4. *Be it further enacted*, That the Directors of said company shall, on the first Mondays of January and July, in each and every year, declare and divide so much of the profits of said company as to them shall appear advisable, first deducting all losses and expenses, and pay the said dividend to the respective stockholders, or to the agents duly empowered to receive them.

Annual dividend.

SEC. 5. *Be it further enacted*, That in the election of Directors of said company, the stockholders shall be entitled to the following number of votes, to-wit: For four (4) shares one vote, for twelve (12) shares two votes, eighteen (18) shares three (3) votes, for thirty (30) shares four (4) votes, for forty (40) shares five (5) votes, for fifty (50) shares six (6) votes, for seventy-five (75) shares seven (7) votes, for one hundred (100) shares ten (10) votes, for one hundred and twenty-five (125) shares fifteen (15) votes, for one hundred and fifty (150) shares twenty (20) votes, for one hundred and seventy-five (175) shares twenty-five (25) votes, and for two hundred (200) shares or upwards thirty (30) votes; absent stockholders be represented by proxy.

Voting.

SEC. 6. *Be it further enacted*, That should the company at any time fail to meet its engagements, each person holding stocks at the time of such failure, shall be individually liable for the debts of the company to the amount of the balance unpaid on the stock of such stockholder; and if any officer or agent, or other person connected with, or doing business for, or with said company, shall fraudulently embezzle or appropriate to his or their own use, or to the use of any other person or persons any money or other property belonging to said company, or left with it or them as a special deposit, he or they upon conviction thereof in the Criminal Court of Memphis, Tennessee, or any court in the State of Tennessee having jurisdiction thereof, shall be fined in a sum of not less than five hundred dollars, and be sentenced to undergo an imprisonment in the Penitentiary or County Prison for any time not exceeding two years, at the discretion of the Court; *Provided*, that this conviction shall not prevent any person aggrieved from pursuing his or her civil remedy against such person or persons.

Liability.

Penalty for embezzling.

SEC. 7. *Be it further enacted*, That the business of the company shall be carried on at such place in the

city of Memphis, Tennessee, as the Directors shall designate, and such agencies out of Memphis as they may establish. Places of business.

SEC. 8. *Be it further enacted*, That the Directors shall have power to enact such by-laws for the rule and guidance of the employes and affairs of the company, as may be necessary, not conflicting with the laws of the State of Tennessee, or terms of this Charter. By-Laws.

SEC. 9. *Be it further enacted*, That B. R. Johnson, Jno. E. Saunders, J. P. Humphreys and their associates and successors, be, and they are hereby constituted a [body] corporate and politic, by the name and style of the Clifton Cement Company, for the purpose of manufacturing Hydraulic Cement and other mineral substances; and manufacturing lumber, flour, meal, bark extracts, barrels, casks and other wooden vessels, and to transport and sell the same, and generally for the purpose of doing every thing necessary to their objects. Clifton Cement Co.

SEC. 10. *Be it further enacted*, That said company shall have power to make and use a common seal, and the same to change at pleasure; to make such by-laws not inconsistent with the laws of the State, as may be necessary and useful; to sue and be sued; to plead and be impleaded; to have succession for the space of twenty years; to hold by purchase or otherwise, and to dispose of any real estate or personal property that may be necessary or convenient for carrying on its operations. Gen'l powers.

SEC. 11. *Be it further enacted*, That the capital stock of said company shall be divided into shares of one hundred dollars each; shall not consist of less than one hundred shares, or more than three thousand; that said shares shall be personal property, and shall be assignable on the books of said company, as may be prescribed by the by-laws. That lands, machinery, mineral interests, and other property, may be subscribed as stock of the company upon such terms as may be acceptable to the Directors. Shares, etc.

SEC. 12. *Be it further enacted*, That the stock, property and business of the company shall be under the management of a President and Board of Directors, comprising not less than three or more than five persons, to be chosen by the stockholders for one year, or until their successors are duly elected. That each share of stock shall count one vote in all elections, and that a majority of interest shall be necessary to a change. Property, etc.

SEC. 13. *Be it further enacted*, That the corporate

limits of Grand Junction, Hardeman county, shall begin in the centre of the Memphis & Charleston Railroad, where the county line of Fayette county crosses said road and running south with said county line eight hundred and eighty yards to a stake; thence east one thousand seven hundred and sixty yards to a stake; thence north one thousand seven hundred and sixty yards to a stake; thence west one thousand seven hundred and sixty yards to the county line of Fayette; thence south with said county line to the beginning in the centre of the Memphis & Charleston Railroad.

Grand Junction corporate limits.

SEC. 14. *Be it further enacted*, That all laws or parts of laws in conflict with this Act be, and the same is hereby repealed.

SEC. 15. *Be it further enacted*, That this Act shall take effect from and after its passage.

W. F. PROSSER,
Speaker pro tem. House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 28, 1869.

CHAPTER XXXII.

AN ACT to Incorporate the Mechanics and Laborers' Co-operative and Building Association of Clarksville, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Dr. Joshua Cobb, G. C. Bond, C. G. Smith, James E. Bailey, Jno. F. House, Wilson Barksdale, Thos. Finley, Jno. Pasey, L. R. Cooper, G. W. Hillman, John Bradley, and their associates and successors be, and they are hereby created a body politic and corporate, under the name and style of the Mechanics and Laborers' Co-operative and Building Association of Clarksville, Tenn., and by that name shall have succession for thirty-three years, and enjoy all the rights, powers and privileges incident to limited corporations.

Corporators.

Rights.

SEC. 2. *Be it further enacted*, That it shall be lawful for said Mechanics and Laborers' Co-operative and Building Association of Clarksville, to establish and use a common seal; to adopt and enforce the requisite by-laws, rules and regulations to consummate the business operations of said association; not, however,

inconsistent with the laws of this State or the United States. The members of said Association, or a majority thereof, shall, at such times as the by-laws may designate, select five of their number as Directors, who shall constitute the Board of Control; and said Board may elect a President and Secretary, and appoint proper agents, and prescribe their duties, and fix their compensation; *Provided*, that the corporators named in section one of this Act, shall be the only persons from whom the first Board of Control shall be elected by the association, and shall organize for business within one year from the date of the passage of this Act, and shall remain in office until their successors are duly elected and qualified as prescribed by said by-laws. Officers, powers, By-Laws, etc.

SEC. 3. *Be it further enacted*, That said Board of Control and their successors in office, shall have full power and authority to enforce the payment of any annual or monthly premium subscribed to the fund of said association in sums not exceeding one hundred dollars to each annual subscription and ten dollars for each monthly subscription to each share of stock, and to guarantee to the respective members, who pay such premiums full immunities and benefits from the general fund, and the proceeds arising therefrom. Subscriptions or premiums.

SEC. 4. *Be it further enacted*, That the annual and monthly premiums and contributions paid by the members of said association, and the proceeds thereof, may be loaned each month in sums not exceeding one thousand dollars to each share, and upon time not exceeding fifteen (15) nor less than one (1) year, at such stipulated discount as may be agreed upon between the borrowers and said Board of Control; *Provided*, that the individual members of said Board shall not themselves be borrowers, and no loan shall be made to any individual who shall not be a paying member of said association; *Provided further*, that said Board shall have the right to require all such loans to be expended in improving or purchasing a house for the use and benefit of the family of the borrower, and to retain a lien upon any real estate so purchased or improved, as a security for the repayment of such loan; *And provided further*, that the annual interest upon such loan shall not exceed six per centum per annum. May be loaned. Provisos.

SEC. 5. *Be it further enacted*, That the stock in said Association may be assigned and transferred upon the books, and when any assignment shall have been ratified by the Board of Control, the right and title to such stock as is assigned shall vest in the assignee, his heirs or assigns. Transfers of stock may be provided for and regulated in the by-laws of said association. Transfer of stock.

Real estate.

SEC. 6. *Be it further enacted*, That said association may own and hold in the corporate name a sufficient quantity of real estate, to provide a place of business, and the necessary building and offices for the Board of Control, and no more.

SEC. 7. *Be it further enacted*, That the Legislature reserves the right to repeal or amend this charter; not, however, to impair any vested right under this Act.

Greenwood Cemetery Co.

SEC. 8. *Be it further enacted*, That James E. Bailey, J. H. Johnson, Hugh Dunlap, D. N. Kennedy, B. W. McCrae, Jr., C. J. Smith and Jno. F. House, and their associates and successors be, and are hereby constituted a body politic and corporate, under the name and style of Greenwood Cemetery Company, to have perpetual succession; may sue and be sued, contract and be contracted with, plead and be impleaded, defend and be defended in all courts of law; may have a common seal, and which they may alter or change at pleasure; may establish such by-laws, rules and regulations as they deem proper for the government of said corporation; *Provided*, the same shall be consistent with this charter, and the laws of this State, and the Constitution and laws of the United States.

Powers and privileges.

SEC. 9. *Be it further enacted*, That said corporation shall have power to purchase and hold a tract or tracts of land, not exceeding fifty acres, to be located near the city of Clarksville, in the county of Montgomery, and State of Tennessee, to be used as a cemetery or burying ground, and to have all the powers and privileges that were granted to the Mount Olivet Cemetery Company by Act of the General Assembly passed February 18, 1856.

French Mutual Assistance Society.

SEC. 10. *Be it further enacted*, That F. Lavergne, F. Faque, Jno. Pelegrin, Felix Seclose, John Gage, Charles Swasseur, their associates, successors and assigns, of the city of Memphis, be, and they are hereby constituted a body corporate and politic, for benevolent purposes, under the name and style of the French Mutual Assistance Society of Memphis, Tennessee, and by that name shall sue and be sued, plead and be impleaded, in any of the courts of law or equity in this State.

Powers.

SEC. 11. *Be it further enacted* That said corporation shall have the power to purchase, lease, hold, own, and sell or dispose of real and personal estate as it may deem proper.

Purposes.

SEC. 12. *Be it further enacted*, That the object and intention of said society is for the purpose of helping the widows and orphans, feeding the poor, visiting the sick, and burying the dead.

SEC. 13. *Be it further enacted*, That said society shall

have a seal of office, which it shall have the power to change or alter at pleasure, and that the same shall have the power to elect such officers, and make a Constitution and such by-laws as shall be necessary and proper to effect and carry out the purpose above stated in this Act. Seal, By-Laws, etc.

SEC. 14. *Be it further enacted*, That Mineral Home Railroad Company shall have the privilege of locating their road so as to commence on the line of the East Tennessee & Western North Carolina Railroad in Doe River Cove, Carter county, Tennessee; and run the nearest, best and most practicable route to Taylorsville in Johnson county, Tennessee; *Provided*, the East Tennessee and Western North Carolina Railroad Company, and any other chartered company, which may have priority of right of way over said route, shall, by resolution of their several Boards of Directors consent to such location. Mineral Home R. R. Co. Proviso.

SEC. 15. *Be it further enacted*, That this Act take effect from and after its passage, and extend for thirty-three years.

W. F. PROSSER,
Speaker pro. tem. of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 28, 1869.

CHAPTER XXXIII.

AN ACT to Incorporate the Memphis Bethel, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That M. P. Jarnigan, Henry Craft, N. W. Speers, J. C. Mills, George W. James, A. A. Barnes, Thomas R. Smith, William L. Scott, Samuel B. Jones, J. C. Ward, George E. Stahl and James F. Leath be, and are hereby constituted and declared to be a body corporate, under the name and style of the Memphis Bethel, with power to have and use a seal; to acquire real estate to the value of ten thousand dollars by purchase, and to any extent by gift or devise, and to sell the same and re-invest the proceeds for the purpose of establishing and perpetuating an institution having the following objects: To preach the Gospel to the poor. To teach good morals and religion to poor and neglected Corporators. Powers and objects.

children. To give instruction in handicraft. To find employment for the idle; and to furnish food to the hungry.

SEC. 2. *Be it further enacted*, That said corporators and their successors shall have perpetual succession.

SEC. 3. *Be it further enacted*, Immediately after the passage of this Act, the corporators may organize by electing a President and other necessary officers from among their own number, who shall continue in office for one year, and until their successors shall have been elected.

Organization.

SEC. 4. *Be it further enacted*, They shall have power to make by-laws for their government and management of the institution.

SEC. 5. *Be it further enacted*, They shall have power to erect all necessary buildings, and hold personalty required to carry out the objects of the institution.

SEC. 6. *Be it further enacted*, Whenever the institution fails to work at the above named objects, the corporate authorities of the city of Memphis may file a bill to have this charter forfeited in behalf of the poor children of said city, and if within six months from the filing of said bill the corporators do not cause said work to be resumed, the whole property, real and personal of the corporation, shall be declared forfeited absolutely, and the court shall on final hearing, vest the title to the same in the said corporate authorities of the city of Memphis, for the use of the poor children therein as a school fund and property forever.

Forfeiture of property.

SEC. 7. *Be it further enacted*, The property of the Memphis Bethel shall be exempt from taxation.

SEC. 8. *Be it further enacted*, That J. J. Wheeler, W. F. Short, J. H. Owen, J. S. Davidson, J. S. Wood, E. J. Reid, W. G. Taliafino, S. Matheny, A. P. Webster, L. Leatherman, R. H. Baskerville, F. J. Manlove, J. Moody, and those associated with them and their successors be, and are hereby incorporated and made a body politic, by the name and style of the Caruther's Library Society of Cumberland University, for the purpose of mutual improvement in the arts and sciences and general literature, with full power and authority to form and adopt such a constitution and by-laws as may be deemed proper for its government; *Provided*, that the same be not inconsistent with the Constitution and laws of the State of Tennessee.

Caruther's Library Soc'y

SEC. 9. *Be it further enacted*, That the persons hereby incorporated, may use a common seal, may sue and

be sued, plead and be impleaded, answer and be answered unto in all courts whatsoever, and may hold real, personal and mixed property not exceeding ten thousand dollars in value, and may exercise all powers belonging to corporate bodies, for the purpose of promoting useful knowledge and information. Powers, etc.

SEC. 10. *Be it further enacted*, That this Act shall take effect from and after its passage.

W. F. PROSSER,
Speaker pro tem. of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 29, 1869.

CHAPTER XXXIV.

AN ACT to Correct an Error in the Acts of 1867-8.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 9, chapter 60, passed March 7, 1865, be, and the same is hereby repealed; and that this Act shall take effect from and after its passage.

W. F. PROSSER,
Speaker pro tem. of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 29, 1869.

CHAPTER XXXV.

AN ACT to Revive the Charter of the Shelbyville and Rousville Turnpike Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That An Act passed March 1, 1858, entitled "An Act to charter the Shelbyville and Rousville Turnpike Road," be and the same is hereby

Commissioners.

revived, with the additional name of S. M. Thompson, ——— Mitchell, R. A. Caldwell, C. C. Moody, Wm. H. Wisener, Sr., as Commissioners.

SEC. 2. *Be it further enacted*, That said charter be so amended as to read that the capital stock in said road shall not be less than five thousand dollars, or more than thirty thousand in shares of twenty-five dollars each.

Capital Stock

SEC. 3. *Be it further enacted*, That said charter be also amended so as to allow the company, when the amount of five thousand dollars is subscribed, to commence building said road.

SEC. 4. *Be it further enacted*, That when five miles of said road is completed from the corporation line of the town of Shelbyville, the company shall have the privilege of erecting a toll-gate and receiving toll; *Provided*, said gate shall be at least one mile from Shelbyville.

Toll-gate.

SEC. 5. *Be it further enacted*, That said company may stop building said road when five miles are completed, if they desire to do so.

SEC. 6. *Be it further enacted*, That all laws in conflict with this Act be and the same are hereby repealed.

SEC. 7. *Be it further enacted*, That the charter of the Shelbyville and Flat Creek Turnpike Company, and the charter of the Shelbyville and Thompson's Creek Turnpike Company be and the same is hereby revived, and all the rights, privileges and penalties contained in the original charter of said road.

Shelbyville and Flat Cr'k Turnpike Co.

SEC. 8. *Be it further enacted*, That all of the above named Turnpike Companies shall have five years from the passage of this Act to complete their respective roads, and that the Shelbyville and Rousville Turnpike Company be allowed to macadamize or grade their road, the same width and breadth as that of the Shelbyville, Unionville and Eaglesville Turnpike Road.

Time to complete roads.

SEC. 9. *Be it further enacted*, That the annual meeting of the Stockholders in the Nashville, Murfreesboro and Shelbyville Turnpike Company shall be hereafter held in the city of Nashville on the third Wednesday of October in each year, to elect Commissioners or Directors of said company, and for the transacting of other business authorized by the charter thereof.

Nash., Mur. and Shelb'lle Turnpike Co.

SEC. 10. *Be it further enacted*, That the charter of the Murfreesboro and Triune Turnpike Company be revived, and that upon a call of any one or more of the Stockholders thereof, by printed or written advertisement for ten days, may hold elections for Directors whenever there has been, or shall be, a failure to elect at the time mentioned in the charter of said company, who, when elected, shall have all the powers conferred

Murf. and Triune Turnpike Co.

by their charter on the Board of Directors, elected at the time mentioned for in the original charter.

W. F. PROSSER,
Speaker pro tem. of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 29, 1869.

CHAPTER XXXVI.

AN ACT to Amend An Act Chartering the Montgomery, Huntsville and Elk Gap Turnpike Company, and for Other Purposes, passed March 5th, 1868.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 37 of An Act passed March 5th, 1868, be, and the same is hereby so amended as to read Jehu Phillips instead of John Phillips, and Daniel Jeffers instead of David Jeffers.

SEC. 2. *Be it further enacted*, That section 39 of said Act be so amended as to give said Company the further time of twelve months from and after the 1st day of January, 1869, to raise by good and solvent subscription the amount required in said Act, and that this Act take effect from and after its passage. Further time.

W. F. PROSSER, *pro tem.*,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 29, 1869.

CHAPTER XXXVII.

AN ACT to Incorporate the Union City Bank, and for Other Purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That A. W. Brockway, W. B. Gibbs, P. W. Summer, John H. Backus and D. D. Brockway, and their associates and successors, be, and they are hereby constituted a body corporate and politic by the name and style of the Union City Bank, and Corporators.

shall be located at Union City, Tennessee, and shall have succession for the term of twenty-five years, and shall not commence the business of Banking in any respect until the sum of five thousand dollars ($5000) be paid into said Bank as an actual cash capital stock, with the same powers and privileges, and subject to all the obligations as the Bluff City Savings Institution.

Powers, etc.

SEC. 2. *Be it further enacted*, That M. D. Bearden, Jo. A. Mabry, and their associates, successors and assigns, be, and they are hereby created a body corporate and politic, by the name and style of the Merchants Bank of Knoxville, with all the powers and privileges, and subject to the liabilities imposed by this Act on the Union Bank of Knoxville.

Merchants' Bank of Knoxville.

SEC. 3. *Be it further enacted*, That J. W. Murphy, W. H. Murphy, J. H. Hughlett, B. B. Turner, S. B. Turner, A. H. Goodman, W. V. Goodman, W. P. Malone, J. T. Jones, J. G. Gray, B. F. Locke, W. P. Pewett, J. L. Jacobs, W. A. David, their associates and successors, be, and they are hereby created a body politic and corporate by the name of the Tipton Intellectual and Literary Society, for the purpose of diffusing moral and intellectual improvement and cultivating a correct literary taste among its members, with power and authority to adopt such constitution and by-laws as they may think proper for its government, provided the same do not conflict with the constitution of this State or of the United States.

Tipton Intellectual and Liter. Soc'y.

SEC. 4. *Be it further enacted*, That the incorporators and their successors may use a common seal, may sue and be sued, plead and be impleaded in any of the Courts having jurisdiction, make contracts, buy, hold and sell property, real and personal, necessary for the proper transaction of their business, and may exercise all the powers and privileges belonging to corporate bodies for the purpose of carrying out the objects of their corporation.

Powers and privileges.

SEC. 5. *Be it further enacted*, That Samuel N. Fain, William Harris, Temple Harris, George N. Fain, William A. Montgomery, Curtis Ennus, F. W. Taylor, Warham Easley, Samuel Gill, D. Morris, John Murphy, William Jack, Wm. McFarland, J. P. Evans, Robt. H. Armstrong, Thomas Graham, Wm. Brown, Joseph R. Anderson, A. A. Kyle, Charles J. McKinney and E. B. Hale, or any three of them, and all persons who may be hereafter associated with them are hereby created a body politic and corporate by the name and style of the Ten-

Tenn. Home Insurance Co.

nessee Home Insurance Company, and in that name may sue and be sued, plead and be impleaded, and appear, prosecute and defend in any Court of Record or other Court or place whatever, may have and use a common seal, may alter, break and renew the same at pleasure, shall have twenty-five years succession, may purchase and hold such real and personal estate as may be deemed necessary to effect the objects of the corporation; may sell and convey the same at pleasure, and may make, establish and put into execution such by-laws, ordinances and resolutions, not being contrary to the laws of this State or of the United States, as may be necessary or convenient for the regulations and government of the business of said Company.

Powers and privileges.

SEC. 6. *Be it further enacted*, That the capital stock of said Company shall be fifty thousand dollars, to be divided into shares of fifty dollars, each share of stock subscribed and paid, or secured to be paid, shall be entitled to one vote in all elections held by said Company. That as soon as the sum of twenty-five thousand dollars *bona fide* stock shall have been subscribed, the stockholders are hereby authorized and empowered to meet and organize said Company by the election of a Board of seven Directors, who shall elect one of their number President, and may also appoint such other officers as may be deemed necessary for the purposes of said Company.

Capital Stock meeting, etc.

SEC. 7. *Be it further enacted*, That when said Company shall be organized, that five per cent. of the stock subscribed shall be paid in cash, and the balance shall be well secured by notes with personal security, or lien on real estate, or otherwise as may be agreed, and payable in four equal installments at sixty days, four months, six months and eight months.

Payments of stock.

SEC. 8. *Be it further enacted*, That the Tennessee Home Insurance Company may proceed to issue policies of insurance as hereinafter provided, when the whole amount of the capital stock of fifty thousand dollars shall have been subscribed and paid, and secured to be paid, as herein provided, and not before, and that before said Company shall issue any policy of insurance or receive any premiums whatever, the President of said Company shall file with the Clerk of the County Court of the county in which the principal office of said Company shall be situated, a correct list of the name of each stockholder, the number of shares subscribed by each, the amount paid on each subscription, and shall

Policies of insurance.

List of stockholders.

file with the same an affidavit that each subscription of stock is *bona fide* solvent and secured, as provided and required by this Act, and shall cause such list to be registered on the books of the Register of said county, and such President shall be subject to all the pains and penalties of perjury, who shall furnish a false or fictitious list of stockholders, or who shall knowingly and corruptly state any falsehood in his affidavit in reference thereto.

What may be insured.

SEC. 9. *Be it further enacted*, That this Company may insure against loss or damage by fire, lightning, wind, tornado or any other insurance whatever, and are authorized and empowered to make insurances upon ships, steamboats, flatboats and other boats; upon freights, goods, wares and merchandise, gold and silver bullion, money, against all maritime risk, or risks of the rivers, and upon houses, stores, mills and other manufactories, upon every description of merchandise, furniture and other articles, and this Company is hereby vested with all the powers and privileges possessed by any Insurance Company, that is now doing business in this State, and said Company may charge and receive such premiums for insurance as may be established by said Company and agreed to by parties insuring in said Company.

Principal office.

SEC. 10. *Be it further enacted*, That the principal office of said Company shall be at Morristown, Tennessee, with such agencies at other points as the Board of Directors may think proper to establish for the business of said Company.

Annual Election.

SEC. 11. *Be it further enacted*, That an election shall be held annually by the stockholders of said company, for the purpose of electing a Board of Directors for said company, and the transaction of such other business as may be necessary on the part of the stockholders.

Liability of stockholders.

SEC. 12. *Be it further enacted*, That the personal and real estate of each stockholder shall be liable for the payment in full of the stock subscribed by him in this company, but no further, and the stock owned by any stockholder may be transferred on the books of the company, and the property of the original subscriber, and also that of the assignee, shall be bound until the stock so subscribed and assigned shall be fully paid.

Eligibility.

SEC. 13. *Be it further enacted*, That no person shall be eligible to the office of a Director in said company, unless he is a citizen of the United States and of the State of Tennessee, and shall be the owner of at least

five shares of the stock of said company. That a majority of the Board of Directors, including the President, shall constitute a quorum for the transaction of business, and the President, by the assent of the Board of Directors, may make any contract of insurance. Quorum, etc.

SEC. 14 *Be it further enacted*, That it shall be the duty of the Board of Directors of said company, to make or cause to be made an annual statement, which shall be sworn to by the President of said company and published in some newspaper in East Tennessee, showing the situation of the capital and the account of the company, premiums received, losses paid, risks undetermined, unadjusted liabilities, etc., and the President and Board of Directors may declare such dividends from time to time as they may think proper. Annual Statement.

SEC. 15. *Be it further enacted*, That whenever a majority of the stockholders of said company shall think proper, the capital stock of said company may be increased to the sum of three hundred thousand dollars, which shall be raised in such manner as said company may prescribe or otherwise secured to be paid, as herein provided in reference to the original stock, and any person or persons subscribing and paying, or securing to be paid, for any portion of said increased stock, shall be entitled to all the rights, powers and privileges of the original stockholders. May increase Capital.

SEC. 16. *Be it further enacted*, That the Board of Directors may invest and employ the fund of said company in such way and manner as they may judge that the interest and welfare of said company may require, and so as to carry out the objects and purposes of this Act, which are declared to be to create a Home Insurance Company. Funds.

SEC. 17. *Be it further enacted*, That James Ross, John S. Ross, George W. Ross, Daniel A. Carpenter, William Morrow, O. P. Temple and David K. Young and their associates and successors be, and they are hereby created a body politic and corporate, by the name and style of the Union Bank of Knoxville, and by that name shall have succession for thirty years; sue and be sued, plead and be impleaded, and generally to do every act and thing necessary to carry out the provisions of this Act, and to promote the object and design of this corporation. Union Bank of Knoxville.

SEC. 18. *Be it further enacted*, That the capital stock of said company shall be divided into shares of fifty dollars each, and when two hundred shares shall have Capital Stock, etc.

been subscribed, and the sum of five dollars per share paid thereon, the stockholders may meet and elect five Directors, who shall be elected and enter upon the discharge of their duties; and said Directors shall elect one of their number to be President during their term of office.

Meeting.

SEC. 19. *Be it further enacted*, That said President and Directors shall, and may adopt and use a common seal and alter the same at pleasure; may make and adopt proper and necessary by-laws for their government, may appoint all necessary officers and agents, fix their compensation, and take bond and security for the faithful discharge of their duties. They may prescribe the manner of paying in the stock and of the transfer thereof; said institution shall have a lien on the stock for debts due it by the stockholders, before and in preference to other creditors, except the State and county for taxes; and shall pay to the State such tax as may be imposed on similar institutions by the Legislature.

Gen'l powers and privileg's

SEC. 20. *Be it further enacted*, That said institution may discount notes, may buy and sell stocks, deal in exchange, gold and silver bullion; may purchase and hold real and personal property and sell the same. It may receive general or special deposits, and allow such interest as may be agreed upon, not exceeding that allowed by law, and twice per year, declare and pay to the stockholders a dividend of profits. But said institution is hereby expressly prohibited from issuing notes, certificates, or other paper for the purpose of being used as a circulating medium.

Business, etc.

SEC. 21. *Be it further enacted*, That Wm. Dodd, James F. Lauck, T. McKinly, J. C. Rodimer and their successors be, and they are hereby constituted a body politic and corporate, by the name and style of the Bank of Gallatin, and shall be located at Gallatin, Tennessee, and by that name and style shall sue and be sued, plead and be impleaded, in all courts of law and equity, and shall have and use a common seal and change the same at pleasure.

Bank of Gallatin.

SEC. 22. *Be it further enacted*, That said corporation shall have all the powers, privileges and immunities, and be subject to the same restrictions and liabilities as provided for in An Act entitled "An Act to charter a Bank of Discount and Deposit, at Bristol, Tennessee, passed January 12, 1869," and shall be subject to such tax and requirements as the Legislature may from time to time

Powers and privileges.

impose, and shall have succession for twenty-five years.

SEC. 23. *Be it further enacted*, That this Act shall take effect and be in force from and after its passage.

W. F. PROSSER,
Speaker pro tem. of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed January 30, 1869.

CHAPTER XXXVIII.

AN ACT to Incorporate the Iron Machinery and Stove and Hollow Ware Molders' Protective and Co-operative Union, No. 55, of Nashville, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That William Saffier, John Bently, Wm. Brophy, Robert Byrd, James Diamond, Jacob Wimberly and Thomas Keenan and their associates, successors and assigns, shall be and they are hereby created a body politic and corporate under the name and style of the Iron Machinery and Stove and Hollow Ware Molders' Protective and Co-operative Union, No. 55, of Nashville, Tennessee, with power and authority to contract and be contracted with, sue and be sued, to plead and be impleaded in all the courts whatever, and have and use a common seal or not, as the Board of Directors may determine; also to purchase and hold in fee or by lease, such personal and real property for the purposes of such organization, and for a foundry and such shops as are necessary and appertaining to the manufacture of machinery, stoves, hollow ware, etc., and other necessary appendages and buildings in connection therewith as may be necessary in the construction of, carrying on and finishing said foundry and other shops.

Corporators.

Powers and privileges.

SEC. 2. *Be it further enacted*, That the capital stock of said organization shall not exceed fifty thousand dollars ($50,000), to be divided into ten thousand shares of five dollars each ($5.00); no member or association shall hold more than one hundred (100) shares; no shareholder shall have more than one vote on any question. The shares shall be personal estate, and shall be transferable under such conditions as the Board of Directors may prescribe; no certificate of shares shall be issued to any person until the full amount thereof shall have been paid in cash or its equivalent. When six hundred (600)

Capital Stock.

shares have been subscribed and paid for in cash, this corporation shall organize by the election of a Board of Directors, to consist of seven (7) members. Said Board of Directors shall elect a President, Secretary and Treasurer. The President and Secretary to be elected from the Board of Directors. The Board of Directors and officers shall be elected annually at stated meetings, and hold their several offices until their successors are elected and qualified. None but share-holders shall be Directors of the corporation.

Organization,

SEC. 3. *Be it further enacted*, The persons named in section 1, or any two of them, may act as Commissioners to receive subscriptions to the stock of the organization, and the subscription lists or books shall fix the time and manner of paying for the shares, and what failure shall authorize a forfeiture of the shares for not complying with the terms of subscription.

May open books.

SEC. 4. *Be it further enacted*, The corporation shall have the right to borrow money on its credit, any amount not exceeding its capital stock, and secure the same by mortgage on their said foundry and other property, at such rates of interest and at such times as the President and Board of Directors may think proper; they shall have power to enact, from time to time, such by-laws, rules and regulations, and to do and perform such other acts as may be necessary or proper to carry on the objects of the organization.

May borrow money, etc.

SEC. 5. *Be it further enacted*, The organization or association shall hold a lien on all and every share of stock issued until all the calls or other debts due the corporation, by the holder or holders of such share or shares be paid, and may sell or dispose of the same by order of the Board of Directors, and account to said share-holder for all money coming to him after such debts be paid the association.

Lien on shares.

SEC. 6. *Be it further enacted*, That Nathaniel Baxter, James Whitworth, John Porterfield, Enoch Cunningham, M. S. Cockrill, Isaac Jordan, Felix R. Cheatham, C. W. Nance, Russell Houston, their associates, successors and assigns, be and they are hereby created a body politic and corporate under the name and style of the North Nashville Real Estate Company, and by that name and style shall have succession for the term of ninety-nine years, and may contract and be contracted with, sue and be sued, answer and be answered unto, plead and be impleaded in all courts of law and equity, and have and use a common seal, with all the powers, rights and privileges, and subject to all liabilities and restrictions contained in An Act passed by the General

North Nashville Real Estate Co.

Assembly May 24, 1866, entitled "An Act to Incorporate the Tennessee Colonial and Immigration Company," with fifty years succession.

SEC. 7. *Be it further enacted*, That this Act be in force from and after its passage.

W. F. PROSSER,
Speaker pro tem. of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed February 3, 1869.

CHAPTER XXXIX.

AN ACT to Incorporate Ward's Seminary, and for other purposes.

SECTION 1. Be *it enacted by the General Assembly of the State of Tennessee*, That W. E. Ward having purchased a house and lot in Nashville, for the exclusive purpose of female education, and has had the same in successful operation for three years past; that said institution is hereby incorporated under the name and style of Ward's Seminary for Young Ladies, and by said name may have succession for ninety-nine years; may have a common seal, and is hereby invested with all legal powers to buy, receive, possess, hold and dispose of any property for the use and benefit of said institution, and may sue and be sued, pleaded and be impleaded in all the courts of this State, and that said institution is incorporated for the purpose of promoting female education. Legal powers

SEC. 2. *Be it further enacted*, That the Principal shall possess the power of conferring literary degrees in as full and ample a manner as any other institution of like character in this State, and to the diplomas awarded by the Principal to the graduates, the names of the Faculty may be affixed. Literary degrees.

SEC. 3. *Be it further enacted*, That the ground and building, apparatus and school furniture, be exempt from taxation, State, county and corporation, while the same are employed for educational purposes. Taxes.

SEC. 4. *Be it further enacted*, That no misnomer or misdescription of said corporation in any deed, will grant, gift or devise, or instrument of conveyance, shall vitiate the same; *Provided*, the intent of the parties can be sufficiently ascertained. Misnomer.

Cumberland Club.

SEC. 5. *Be it further enacted*, That E. M. Grant, M. C. Bayless, Robert H. Howell, S. A. Medary, W. F. Foster, J. K. P. McFall, W. F. Cleveland, N. L. Greenfield and H. Sheffield, all of the city of Nashville, and their associates and successors be, and they are hereby constituted a body politic and corporate, under the name and style of the Cumberland Club.

Object.

SEC. 6. *Be it further enacted*, That the object of said club is the cultivation of social intercourse and the intellectual and moral improvement of its members.

Powers and privileges.

SEC. 7. *Be it further enacted*, That said club shall have power to sue and be sued, plead and be impleaded in all of the courts of law or equity of this State, to make such rules and regulations for the management of its business as the members thereof shall agree upon; *Provided*, the same shall not be in conflict with any of the laws of the United States or of the State of Tennessee; to make such contracts and agreements as may be necessary for the proper carrying out the objects of the organization; to purchase and hold real estate to an amount not exceeding in value one hundred thousand dollars, and to dispose of the same in such manner as its members may deem necessary for the purposes of said club.

Sneedville Lodge, No. 277, F. & A. M

SEC. 8. *Be it further enacted*, That Henry Tyler, Joseph W. Baker, J. F. McNeil, Geo. R. Mitchell, Wm. Y. Campbell, and their successors in office be, and they are hereby constituted a body politic and corporate, under the name and style of the Sneedville Lodge, No. 277 Free and Accepted Masons, and shall have succession for one hundred years; may have a common seal; and by that name may sue and be sued, contract and be contracted with; shall hold real estate and dispose of the same at its pleasure, and shall have all other privileges and immunities common to similar incorporations.

J. H. Harper's Male and Female Instit'te

SEC. 9. *Be it further enacted*, That J. H. Harper's Male and Female Institute at Jackson, Tennessee, be, and the same is hereby incorporated under the name and style of Harper's Male and Female Institute, and by said name may have succession for thirty-three years; may have a common seal, and is hereby invested with all legal powers to buy, receive, possess, hold and dispose of any property for the use and benefit of said institution, and may sue and be sued, plead and be impleaded in all the courts of this State, and that said institution is incorporated for the purpose of promoting education.

SEC. 10. *Be it further enacted*, That the grounds, building, apparatus and school furniture be exempt from

taxation, State, county and corporation, while the same is used for educational purposes. Taxes.

SEC. 11. *Be it further enacted*, That the town of Lebanon, in the county of Wilson, and the inhabitants thereof, are hereby constituted and declared a body politic and corporate by the name and style of the Mayor and Aldermen of Lebanon, and by the same name shall have perpetual succession; shall sue and be sued, plead and be impleaded in all the courts of law and equity, and in all actions whatever; may purchase, receive and hold real, personal and mixed property within said town, and sell lease, and dispose of the same for the benefit of said town, and may purchase, receive, and hold real, personal and mixed property beyond the limits of the town, to be used for the burial of the dead, for the establishment of a hospital, for a poor-house, a workhouse, or house of correction; and may have subscribe for and hold stock, property and interests in turnpikes and railroads built in the county of Wilson, and running into and through the town; and sell and dispose of the same, and do all other acts as natural persons may do touching the same, and may have and use a common seal and change [the same] at pleasure. Town of Lebanon incorp'd. Property. Powers.

SEC. 12. *Be it further enacted*, That the government of said town shall be vested in a Mayor and seven Aldermen, to be chosen every year by the qualified voters of said town, and all persons residing in said town and paying taxes therein, and all persons owning a freehold interest in said town, but residing without its limits, and who would be qualified to vote for members of the General Assembly, shall be qualified to vote for Mayor and Aldermen. Mayor and Aldermen.

SEC. 13. *Be it further enacted*, That the Mayor shall hold his office for one year, and until his successor shall be elected and qualified. No person shall be elected Mayor, who is not at the time a citizen of the State of Tennessee, and a *bona fide* resident and freeholder of said town; and when two or more persons shall have an equal number of votes for the office of Mayor, the election shall be decided by a majority of the votes of the Aldermen elect, and a vacancy for an unexpired term shall be filled in the same manner. The Mayor may fill all vacancies occurring in office, except that of Aldermen, until the same shall be filled by election, and he shall receive a compensation or salary to be fixed by the Board of Aldermen. It shall be the duty of the Mayor, unless relieved by the Board of Aldermen, to preside at all meetings of the Board; but he will not be permitted to vote for any officer or agent, except as Failure to elect. Powers and duties of Mayor.

hereinafter provided; nor upon any measure, propositions or ordinance before the Board; and in the event he is absent or does not preside, such member of the Aldermen shall preside as they may determine by majority vote or ordinance. It shall be the duty of the Mayor to take care and see that all ordinances and laws of the town are duly enforced, observed and obeyed; and he shall, on application, instruct officers in their duties. Before entering on the duties of his office; he shall take an oath to faithfully demean himself in office, and discharge the duties thereof. It shall be his duty from time to time to lay before the Board of Aldermen, in writing, all matters and things he may deem it important to have action upon, accompanied with suitable recommendations; and to call special sessions of the Board of Aldermen, whenever he may deem it necessary and expedient, at which special sessions the Board of Aldermen shall have full power and authority to do all acts and things they have power to do at regular sessions or meetings; and for any malfeasance or misfeasance in his office of Mayor, he shall be subject to be charged and tried by the Board of Aldermen, and fined or dismissed from his office, or what the Aldermen may in their wisdom determine for the best; and on such trial the Aldermen shall elect by ballot one of their number to preside, and all shall take an oath to faithfully and impartially try and render judgment on such trial.

Powers and duties of Mayor.

Malfeasance, etc.

SEC. 14. *Be it further enacted*, That no person shall be an Alderman unless he be a citizen of the State of Tennessee, and a *bona fide* resident and free holder of said town. Each Alderman before entering on the duties of his office, shall take an oath to faithfully demean himself in office and discharge the duties thereof. Aldermen shall receive such compensation as the Board of Aldermen may determine, not to be increased or diminished during their term of office. The Board of Aldermen shall have full power and authority to appoint or elect officers, servants or agents of the corporation as they may deem necessary, and provide for by ordinance and prescribe the times and method of settlements of such persons, and fix the pay and compensation of the same, and they shall have power for sufficient cause to dismiss and discharge any officer or agent they may appoint by a majority vote of the Aldermen; all vacancies in the Board of Aldermen shall be filled for the unexpired term by a majority vote of the remaining Aldermen. Five Aldermen shall constitute a quo-

Eligibility of Aldermen.

Powers and duties.

rum for the transaction of business, and Aldermen shall hold their offices for one year and until their successors are elected and qualified. Every Alderman guilty of malfeasance or misfeasance in office, shall be subject to be charged and tried by the Board of Aldermen, and fined or dismissed from office as in their wisdom they may deem for the best, and at such trial the Mayor shall preside and have the casting vote. Before entering upon such trial each Alderman and the Mayor shall take an oath to faithfully and impartially try the accused and pass judgment.

Malfeasance, etc.

Sec. 15. *Be it further enacted*, That an election shall be held on the first Saturday in December in each and every year, by the Commissioner of Registration of Wilson County, or such officer as may be designated by general law, or in default of their action, by the town Constable or Marshal, at the Court House in Lebanon, to fill the office of Mayor and Aldermen, and the person receiving the highest number of votes for Mayor shall be taken to be duly elected, and the seven persons receiving the highest number of votes for Aldermen shall be taken to be duly elected such. The Mayor and Aldermen to be qualified and eligible as aforesaid, and the terms of office of the Mayor and Aldermen shall commence on the last Saturday in December in each and every year after the election aforesaid. A tie vote in the election of Aldermen shall be decided by a majority vote of the remaining Aldermen elect. The officer holding the election shall, within five days thereafter certify to the Mayor of the town the result, who shall assemble the persons elected at the town hall or Cort House, on the last Saturday in December, in each and every year after said election, and see that they are qualified on oath before some Judge or Justice of the Peace.

Annual Election.

To take oath, etc.

Sec. 16. *Be it further enacted*, That the Mayor and Aldermen of Lebanon shall have full power and authority by ordinance within the town:

Gen'l powers of Mayor and Aldermen.

First. To levy and collect taxes on all property taxable by law for State purposes.

Second. To levy and collect taxes upon all privileges and polls taxable by law for State purposes.

Third. To appropriate money and provide for the payment of the debt and expenses of the town, and to this end shall have power to borrow money on the bonds of the corporation for any purpose that is not made improper by existing laws; *Provided*, That the sum bor-

May borrow money.

rowed shall not exceed ten thousand dollars, and shall not bear a higher rate of interest than six per cent. per annum, and nothing in this Act shall be construed as conferring on said corporation a power to issue bonds or change bills that shall circulate as money.

Health.

Fourth. To make regulations and laws to secure the health, safety, peace and comfort of the town, determining what shall be deemed nuisance, and removing, preventing and abating the same.

Fifth. To make regulations and laws; to prevent the introduction and spreading of contagious diseases, and to establish hospitals.

Streets, pavements, etc.

Sixth. To open, alter, abolish, widen, extend, establish, grade, pave and otherwise improve, clear and repair streets, alleys, sidewalks and pavements, and to fix and determine the boundaries and locations of lots, streets and alleys, and to declare and determine which streets shall be opened and graded, and what sidewalks and pavements shall be built, and the width and quality of the same, and if the owner of ground shall fail to comply with the provisions of such laws and ordinances as may be duly enacted by the Aldermen for the construction and repairing of sidewalks and pavements, within such time as may be prescribed thereby, the corporation may contract with some suitable person, on the best terms that can be made, for the construction and repairing of such sidewalks and pavements, and pay for the same; and the amount so paid and expended shall constitute a charge against the owner of the ground by or on which said work shall be done, to be recovered by suits in the name and for the use of the corporation, before any court of law having jurisdiction, of the amount, and the amount so paid shall be a lien on the lot of ground; *Provided*, that a reasonable compensation shall be paid to such person whose ground may be taken or rights affected in widening or extending streets and pavements; and such ground shall not be taken and used for the purposes aforesaid unless by consent of the owner, until such compensation and damages have been fixed and declared, and paid, or secured, or an offer to pay or secure the same, and a refusal to receive said pay or damages by the owner; and, *Provided*, that said compensation or damages may be fixed by three disinterested persons, to be selected by the Mayor and Aldermen, and the person owning the ground each selecting one, and the two selecting the third; and in case of the refusal of one of the parties to select such disinterested persons, then the party desiring the valuation or assessment of

Proviso.

Same.

damages, shall select five disinterested persons to make and report the same.

Seventh. To erect, establish and keep in repair bridges, channels for running water, creek-beds, sewers, culverts and gutters, and provide for the lighting of the streets. Bridges, etc.

Eighth. To establish, support and regulate a night watch and patrol and day police.

Ninth. To erect market houses, to establish markets and regulate the same, and the vending of meats, poultry, fish and vegetables, and to provide for the erection of all buildings, and repairing and fitting up of the same necessary for the use of the town. Market.

Tenth. To provide for inclosing, improving and regulating all public grounds belonging to the town in or out of the corporate limits.

Eleventh. To license, tax and regulate auctions, grocers, merchants, druggists, retailers, taverns, brokers, shavers, bankers, confectioners, coffee houses, restaurants, professions, insurance companies and agents, retailers of liquors, hawkers, peddlers, artists, livery stables, billiards, nine-pin and ten-pin alleys, drays, hacks, wagons and omnibusses, and all other business and occupations, carried on and conducted within the corporate limits of the town; *Provided*, that no tax shall be imposed on any business, or calling, or property, excepted from taxation by the State. Licenses, etc.

Twelfth. To license, tax, regulate and suppress theatrical and other shows, exhibitions and amusements, and to regulate and suppress all disorderly houses and assemblies.

Thirteenth. To provide for the prevention and extinguishment of fires, to organize fire, hook and ladder companies, to regulate and restrain or prohibit the erection of wooden buildings in any part of the town, and to order the removal and refitting of the same, and to regulate and prevent the carrying on of manufactories such as mills, batteries, sash and blind establishments, and all other sorts of business regarded dangerous in causing fire and explosion, to regulate the storage of gunpowder and other combustibles, and the use of lights and stove-pipes in all stables, shops and other places, and provide for the cleaning, sweeping and burning of chimneys and flues. To prevent fires, etc.

Fourteenth. To establish and regulate all inspections, weighings and measurings not otherwise provided for by law, within the corporate limits of said town.

Fifteenth. To restrain and prohibit gaming and houses, to regulate and restrain tippling houses, Gaming.

houses, to erect pumps and waterworks on streets and alleys, and abolish, close and fill up tanks, wells and sinks.

Sixteenth. To impose fines, forfeitures and penalties for the breach of any law or ordinance of the town, and to provide for the recovery of the same.

Seventeenth. To provide for the arrest and confinement until trial, of all rioters, drunken and disorderly persons within the town by day and by night, and to authorize arrest and detention of all persons found violating any law or ordinance of said town.

Arrests.

Eighteenth. To prevent and punish by pecuniary fines and penalties all breaches of the peace, noise, fighting, drunkenness, disorderly conduct, and disturbances by day and by night within the corporate limits.

Nineteenth. To establish and lay off the town into wards from time to time, to fix the number and boundaries of town wards.

Wards.

Twentieth. To prevent and remove all the filth in the town and all encroachments into and obstructions upon all streets, lanes, alleys, sidewalks and pavements, and for the cleaning of the same.

Twenty-first. To erect and establish a workhouse or house of correction, and organize the same in or near the town, and any person who shall fail or refuse to pay any fine and cost, or secure the same, which may be imposed under law or ordinances of the town, shall be committed to the workhouse until such fine and cost shall be paid or secured, and for such time as may be adjudged, and every person so committed shall work for the town at such labor as his or her health may permit, within or without said workhouse, not exceeding ten hours each day, and for such work shall be allowed exclusive of board a credit upon such fine and cost of seventy-five cents each day of work until the whole is discharged, when such person shall be released; *Provided*, That no person shall be compelled to work longer than one month for any one offense.

Workhouse.

Twenty-second. To appoint a Constable or Marshall, Recorder, Assessor of Taxes, Collector, Treasurer, Secretary and all such other officers and agents as the necessity of the corporation may require and as the Board of Aldermen may determine are needed, and fix and declare their pay and compensation.

Officers.

Twenty-third. To take charge of and care for any lunatics or crazy persons that may be found at large within the corporate limits and make such disposition of such as may be deemed proper, and shall recover the

Lunatics, etc.

expenses of keeping and caring for such person in a suit from any one chargable by law for such care and keeping.

Twenty-fourth. To pass all by-laws and ordinances for the government of the town and the rightful enjoyment of the power herein conferred, and the regulation of officers and agents of the corporation as may be deemed necessary and possess and exercise all the powers granted in the Code to municipal corporations; *Provided*, that they be not incompatible with the constitution and laws of the land. By-Laws, etc.

SEC. 17. *Be it further enacted*, That all ordinances and laws and resolutions heretofore enacted by the Mayor and Aldermen of said town and not repealed or rescinded by them shall be and remain in full force and effect until altered, modified or repealed under this Act, and all Acts heretofore passed in regard to said town of Lebanon inconsistent with the provisions of this Act be, and the same are hereby repealed. Old laws.

SEC. 18. *Be it further enacted*, That there shall be prepared and published within twelve months after the passage of this Act, a digest of all the ordinances, laws and resolutions of a public nature then and now in force and a like digest in every five years if deemed necessary by the Board of Aldermen, but not otherwise. Digest.

SEC. 19. *Be it further enacted*, That the powers, rights and privileges of this Act shall not be lost or forfeited by a failure to hold an election every year as herein directed but shall continue and be exercised at any time by the Mayor and Aldermen when elected in accordance with the provisions of this charter. Not forfeit charter.

SEC. 20. *Be it further enacted*, That the Constable or Marshal of the town of Lebanon shall take an oath to perform well and truly the duties of his office, and he shall have full power and authority to execute all State warrants which may come into his hands, as may now be done by district constables under existing laws. And he shall have full power and authority to execute as district constables have, all civil process to all the courts of law and equity that may come to his hands, and shall be bound and governed and possess all rights and powers as district constables under existing laws; *Provided*, however, that before he shall possess and exercise such rights he shall qualify and give such bond before the County Court as district constables do and are required to do by law. Powers of Constable.

SEC. 21. *Be it further enacted*, That the Board of Aldermen shall have power and authority to elect and

Recorder.

appoint a Recorder who shall be invested with the powers of a Justice of the Peace, and hold his office for one year from his appointment or election. He shall have jurisdiction in all cases of violation of criminal laws of the State as other Justices of the Peace, and shall have and determine all breaches and violations of the laws and ordinances of the town and be empowered to impose fines and costs and preserve and enforce order in his Court as other Justices of the Peace may do.

Duties and privileges.

The Recorder shall take the oath of office as prescribed for Justices before entering on the duties of his office. Said Recorder may be the Mayor or Alderman, a Justice of the Peace or other person the Aldermen may elect. Appeal shall lie from the judgments of the Recorder as are now allowed by law from Justices of the Peace; *Provided*, however, the Mayor of the town of Lebanon shall have all the power and privileges herein conferred on the Recorder until the first Saturday in December, 1869, and until said Recorder shall be appointed and elected after that date.

SEC. 22. *Be it further enacted*, That all taxes levied and assessed by the Mayor and Aldermen on property, shall have the same lien (subject to State taxes) as is prescribed by law for State taxes, and in assessing and imposing taxes, the basis and mode of assessment pre-

Tax lien, etc.

scribed by law for State taxes may be observed, with such modifications as may be deemed suitable and proper for the town; all taxes shall be collected upon the certificate of the Town Collector in the same manner as State taxes are collected by law, when parties fail to pay.

SEC. 23. *Be it further enacted*, That the corporation may take from its officers and agents bonds in such amounts and with such conditions as may be lawful, for

Officers' bond.

the faithful discharge of duty, and the sure accounting for and paying over all moneys that may come into their hands, and prescribe the methods and times of settlements.

SEC. 24. *Be it further enacted*, That all conveyances of property to the corporation of Lebanon shall be made to the Mayor and Aldermen, and all conveyances from the corporation shall be prepared by the attorney

Conveyances.

of the Board, and executed by the Mayor. In case of a sale to the Mayor and Aldermen, the Board of Aldermen shall appoint a person to execute the conveyance.

SEC. 25. *Be it further enacted*, That the Board of Aldermen shall have power to correct the assessments of taxes, and reduce and enlarge the same in all proper cases, and allow and release taxes in proper cases.

SEC. 26. *Be it further enacted*, That the Mayor and Aldermen shall have full power and authority to take, subscribe and hold stock in any turnpike or railroad built in the county of Wilson, connecting with the town and intended to promote the growth and interest of the town to an amount not exceeding ten thousand dollars, which sum shall be the greatest amount the Mayor and Aldermen shall take without a vote of the qualified voters of the town; and if such amount shall be taken in one or more enterprises, and be out as an obligation of the corporation, the Mayor and Aldermen shall not have the power to subscribe further stock until the ten thousand dollars shall be first paid; and the Mayor and Aldermen shall have power to issue the bonds of the corporation for such amount, to run for such time as they may prescribe, and to carry no higher rate of interest than six per cent.; and shall have full power to borrow money on such bonds, and to lay and collect a tax for the payment of the same; *Provided, however*, the Mayor and Aldermen may subscribe a greater amount for turnpikes and railroads under the general law as laid down in the Code for subscription of stock by corporations as therein provided.

May subsc'ibe stock.

Bonds, etc.

SEC. 27. *Be it further enacted*, That the Mayor and Aldermen shall have full power to sell, dispose of and convey all property, real, personal and mixed, belonging to the corporation, upon such terms as they may deem best; *Provided, however*, they shall not have power to sell, transfer, or convey any stock subscribed in accordance with the vote of the people of the town under law, unless by the consent of the qualified voters ascertained by a vote for that purpose.

Property.

SEC. 28. *Be it further enacted*, That the corporate limits of the town of Lebanon shall be as follows: Begin on the Nashville Pike on west boundary line of University lot; thence north seventy-three and a half poles south, 89½ degrees, east one hundred and eight poles to a new street opened by H. L. Caruthers and L. Drifoas, south 86¾ degrees east, with new street between Caruthers and Drifoas forty-two and a quarter poles, north 3⅛ degrees, east ninety-nine and a quarter poles to the centre of Spring Branch at abutment, north 52 degrees, west with centre of the Branch four poles, north 21½ degrees, east with west boundary of the new fair grounds, fifty-two poles to centre of Cale's Ferry Pike, with centre of said pike fifty-seven and a half poles to the west boundary of old fair grounds, north 19 degrees, east with west boundary of old fair grounds fifty-three and a half poles; thence east eighty-three

Corporation limits.

poles to Cumberland River Pike; thence with the road north of the factory one hundred and forty-six and four-fifth poles to the centre of Hartsville Pike; thence south 37½ degrees, east one hundred and thirteen poles to Rome Pike near Mrs. Martin's; thence with the pike south 26 6-8 degrees, west thirty-two poles; thence crossing Orville Green's lot south 147 degrees, west sixty and two-fifth poles to north-east corner of Dr. Owen's garden; thence with the east boundary of the garden, south 1 degree east, seventeen and three-quarter poles, and south 3½ degrees, east twenty-one and one-third poles to Truesdale's Ferry Pike; thence south-west along the pike fifteen poles, south ½ degree, west thirty-two and a half poles to old Truesdale's Ferry road; thence eastward with the road sixty-six and a half poles to a lane, south 1 degree, west with the lane seventy-one poles, south 17½ degrees, west eighty-three poles to Sparta Pike at well; thence south ½ degree, east with Col. Stokes' line, 31½ degrees, west with the line between Stokes' and Nix ninety-six and three-quarter poles, south 1 degree, west with rail fence one hundred and eleven and one-fifth poles to Cainsville road, north and with road fifty-six poles; thence south 85½ degrees, west two hundred and four poles, crossing Murfreesboro' Pike to a cedar tree west of pike; thence north seventy-six degrees, west eighty-three poles, north 1¼ degrees, east twenty-nine and three-fifth poles to Tucker Hill Pike, north 50 degrees, east fifty-three and three-quarter poles, and north 11¼ degrees, east eighty-six poles to a double oak at fence, south-west from R. B. McClain's house and from double oak near McClain, north 88½ degrees, west with the fence one hundred and eighty-five poles; thence one hundred and four poles to beginning in centre of Nashville Road.

Corporation limits.

Same.

SEC. 29. *Be it further enacted*, That this Act shall not interfere with the rights and powers of the present Board of Mayor and Aldermen of Lebanon, who shall continue to be such under existing laws until the election ordered under the provisions of this Act shall be be held on the first Saturday in December, 1869, and until the terms of the officers then elected shall commence, as prescribed in this Act; *Provided, however*, the Mayor and Aldermen of Lebanon as now elected shall have and exercise all the powers and rights and privileges conferred and granted by the acts of incorporation in as full and perfect a manner as a Mayor and Aldermen elected under the provisions of this charter would have under the provisions herein laid down.

Present Board.

SEC. 30. *Be it further enacted*, That section one of an Act to incorporate the town of New Middleton, Smith county, and for other purposes, be so amended in the last line of said section as to read "Madisonville, Monroe county." Madisonville, Monroe Co.

SEC. 31. *Be it further enacted*, That the Recorder of the town of New Middleton shall have original jurisdiction of all offenses arising under any violation of the provisions of this charter or breach of any ordinance of the town, and shall have concurrent jurisdiction with the Justices of the Peace of the county of Smith in all cases arising from a violation of the laws of Tennessee within the limits of the town. He shall hold his office for one year, and until his successor is duly qualified, and shall receive such fees as may be prescribed by ordinances. Recorder of New Middleton.

SEC. 32. *Be it further enacted*, That the Recorder of the town of New Middleton shall have exclusive jurisdiction of all cases arising within the corporate limits of the said town of New Middleton, from a violation of any of the ordinances, by-laws or regulations of said town, and in the absence of the Recorder, any Justice of the Peace of the town may try any offender against the by-laws, ordinances and regulations of the town. Jurisdiction.

SEC. 33. *Be it further enacted*, That the town Constable shall have power to execute all State warrants for the violation of the criminal laws of the State of Tennessee; also to execute all warrants for a violation of the ordinances, charter, by-laws and regulations of the town of New Middleton, also to execute all other process that a Constable by the laws of Tennessee can execute, and that his jurisdiction shall only extend to the town of New Middleton, and his fees shall be the same as prescribed by law for regular Constables. Constable.

SEC. 34. *Be it further enacted*, That the Mayor of the town of New Middleton shall have power to allow all offenders convicted of violation of the charter, ordinances of the town of New Middleton, to work out their fines on the streets of New Middleton, at the rate of one dollar and fifty cents per day; *Provided*, That no offender shall be compelled to work more than ten hours at any one time. Mayor.

SEC. 35. *Be it further enacted*, That the citizens of the town of Hollow Rock, in the county of Carroll, and State of Tennessee, are hereby incorporated by the name and style of Mayor and Aldermen of Hollow Hollow Rock, Carroll Co.

Rock, and by that name they may have perpetual succession; may sue and be sued, plead and be impleaded, in all the courts of law or equity of the State, contract and be contracted with, hold real and personal property, assess taxes to improve the streets and public squares, etc.

SEC. 36. *Be it further enacted*, That the boundary lines of said corporation shall be as follows: Commencing at the bridge across Hollow Rock Creek on the road leading from Marlborough to Buena Vista, and running north to J. G. Martin's south boundary line; thence east to a large rock; thence south to Hollow Rock Creek; thence west to the beginning.

Boundary line

SEC. 37. *Be it further enacted*, That there shall be elected by the qualified voters of said town, a Mayor and six Aldermen, who shall hold their offices for twelve months and until their successors are elected and qualified; and it shall be the duty of the proper officer of said county to advertise and hold the first election; that the said Mayor and Aldermen may appoint a Constable to execute all corporation business as may be necessary, and after the first election, shall hold the elections provided for in this Act, and give bond and security in such sum as may be fixed by said board for the faithful performance of his duty.

Election of Mayor and Aldermen.

SEC. 38. *Be it further enacted*, That four of the Aldermen shall constitute a quorum to do business; they shall keep a record of their proceedings, and shall have power to make all necessary by-laws and ordinances for the good order of said town not inconsistent with the laws of the State.

Quorum, etc.

SEC. 39. *Be it further enacted*, That the first election for town officers in the town of Hollow Rock, Carroll County, Tennessee, shall take place on the first Saturday in April, 1869, and on the same day in each year thereafter.

First election.

SEC. 40. *Be it further enacted*, That the Mayor and each Alderman shall, before entering upon the discharge of his duties, take an oath before some Justice of the Peace, for Carroll County, that he will support the Constitution of the United States and the State of Tennessee, and that he will faithfully demean himself in office.

Oath.

SEC. 41. *Be it further enacted*, That any Alderman may be removed for misdemeanor in office by a two-

Removals.

thirds vote of the Aldermen elect, and that this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed February 3, 1869.

CHAPTER XL.

AN ACT to Incorporate the Memphis Oil Company in the County of Shelby, and for other Purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That George W. Cheek, Thomas A. Nelson, Jesse W. Page, Jr., M. E. Cochran, J. F. Burton and J. W. Cochran and their associates, be and they are hereby declared a body corporate by the name of the Memphis Oil Company, for the purpose of manufacturing oil, oil-cake, etc., from cotton seed or other substances, and in their corporate name may sue and be sued, have and use a private seal and brand, or trade-mark, and alter the same at pleasure, purchase and hold real estate for their purposes, and sell and convey the same by deed. Corporators. Privileges.

SEC. 2. *Be it further enacted*, That the capital stock of said company shall be twenty thousand dollars, in shares of one hundred dollars each; but the capital of said company may be increased by order of the Board of Directors, to one hundred thousand dollars; when twenty thousand dollars or more is subscribed, and twenty-five per cent. paid in the corporators named in the first section may call the Stockholders together, who may elect a Board of Directors. Said Board of Directors shall be elected by the votes of a majority of the stock, each share of stock being entitled to one vote, and the said Board of Directors may elect one of their number as President of the company and adopt such by-laws, rules and regulations for the appointment of other officers and employes, and for other purposes, as they may deem best for the interest of the company. Said Board of Directors shall consist of five persons, stockholders of the company, and no liability shall attach to the Stockholders respectively for a greater amount than the stock subscribed by each, and all liability shall cease when the amount subscribed has been paid in. The Capital Stock. Election of Directors, Powers, etc. Liabilities, etc.

election of Directors shall be held once a year, of which the Stockholders shall have due notice, but if it is postponed beyond that time for good cause, the company shall not, on that account, be dissolved.

Taxes.

SEC. 3. *Be it further enacted*, That the Company shall have existence for thirty-three years and be exempt from taxation, except such taxes as are imposed on other similar manufacturing companies in this State.

Linseed Oil Company.

SEC. 4. *Be it further enacted*, That A. G. Sanford, Hugh McGavock, J. F. O'Shaughnessy and Michael J. O'Shaughnessy, and such other persons as may become stockholders in said Company, together with all such persons as may hereafter become their successors and assigns be, and they are hereby created and made a body politic and corporate by the name and style of the Nashville Linseed Oil Company for the purpose of making, manufacturing and vending linseed or cotton seed oil cake, and by the name and style of the Nashville Linseed Oil Company, shall have full powers to have and use a common seal, the same to alter or change at pleasure, to sue and be sued, plead and be impleaded, answer and be answered, defend and be defended in all courts of law and equity, and shall have succession for ninety-nine years, and to ordain, erect and establish and put in execution such by-laws, ordinances and regulations as may be necessary and convenient for the correct management of their business for the use and benefit of said Company, being not contrary to the laws or the constitution of this State or that of the United States.

Purposes, powers, etc.

Lands, etc.

SEC. 5. *Be it further enacted*, That said Company shall have power and is hereby invested with the right to lease, buy or hold to themselves or their successors or assigns any lands or interest in lands, tenements, goods or chattels, and for the erection, use and occupancy of all necessary buildings, superstructures, works and machinery which may be necessary to carry into full and complete effect the purposes and objects of said Company, and may appropriate, sell and dispose of the same in such manner as shall seem fit and proper to the said Company.

Business.

SEC. 6. *Be it further enacted*, That said corporation shall have full power and authority to make, manufacture and vend linseed or cotton seed oil and linseed or cotton seed oil cake, and to do or perform in its corporate name all such acts and things as bodies corporate may do lawfully for the purpose of carrying into effect the objects of this Act.

SEC. 7. *Be it further enacted*, That the capital stock of said Company shall be fifty thousand dollars, which it shall be lawful to increase to the sum of two hundred thousand dollars whenever a majority of the Directors of said Company shall so determine, all of which capital stock shall be divided into shares of one hundred dollars each to be paid in as the Board of Directors shall elect, and no stock shall be transferred or assigned except upon the books of the Secretary of said Company, said Directors to have the first privilege and refusal of all stock offered for sale by any shareholder. Capital Stock to.

SEC. 8. *Be it further enacted*, That the affairs of said Company shall be managed by four Directors, a majority of whom shall constitute a quorum for transacting any business for the Company. The Directors shall be elected by the stockholders, and in each year, four weeks notice having been given for that purpose in one of the daily newspapers published in the city of Nashville, designating the time and place of such election. Each Director shall be a stockholder at the time of his election, and shall cease to be a Director if he shall cease to be a stockholder. The number of votes to which each stockholder shall be entitled at any such election shall be one vote for each share he may hold. The Directors thus elected shall take their seats the ensuing day, and shall immediately proceed to elect from their number a President and a Treasurer, they shall also elect a Secretary and such other officers and agents and business managers as they may deem necessary for the prosecution of the business of said Company, and the Directors of the Company first elected shall hold their places until their successors shall be elected, and if from any cause an election for Directors shall not be made at the appointed time the corporation shall not for that cause be dissolved, but an election may be had on any subsequent day, notice thereof having been given as aforesaid. Election of Directors. Other officers, etc.

SEC. 9. *Be it further enacted*, That the liability of stockholders shall be limited to the amount of capital paid in.

SEC. 10. *Be it further enacted*, That John B. Davis, James B. Shorpe and Wm. J. Ashford, of Memphis, Tenn.; J. G. McCulloch, of the city of New Orleans, La., and Alexander McDonald, of Little Rock, Ark., and their associates, heirs or assigns, be, and the same are hereby incorporated a body corporate and politic under the name and style of the Memphis and White Memphis and White River Packet Co.

River Packet Company of the city of Memphis, and shall have and enjoy all the rights, privileges and immunities granted to the Memphis and Arkansas River Packet Company in an Act passed November 17, 1866.

Doe River Woolen Manufactu'ng Co.

SEC. 11. *Be it further enacted*, That Chas. H. Lewis, Isaac Slenker and Jos. B. Scott, their successors and assigns, be, and are hereby declared a body corporate and politic by and under the name and style of Doe River Woolen Manufacturing Company, for all purposes of manufacturing any and all fabrics from cotton or wool in any form, of manufacturing or constructing all articles out of wood, iron or other material, of manufacturing jellies, sugars, syrups and other articles from sorghum and fruits, transporting, selling or otherwise disposing of the proceeds of the said several kinds of business, and doing all things properly belonging to or connected with the said transportation, sale and other disposition of the proceeds of the said several kinds of business, and for such purposes the said Company is hereby authorized to and empowered to have, receive, purchase, possess, enjoy and retain lands, water privileges, rents, goods, chattels and effects of any kind and to any amount necessary to carry into effect the objects of the corporation, and the same to use, sell, alien and dispose of at pleasure, contract and be contracted with, sue and be sued, defend and be defended in all courts and tribunals having proper jurisdiction, to have a common seal, the same to alter, break or renew at pleasure, to ordain, establish, change and alter such rules, regulations and by-laws as may be for the well being of said corporation and good conduct of its members.

Purposes, etc.

Powers and privileges.

Capital Stock

SEC. 12. *Be it further enacted*, That the capital stock shall consist of shares of twenty-five dollars each par value, and be increased at par value indefinitely, said shares to be regulated by articles of agreement and by-laws, not inconsistent with the laws of the United States and the State of Tennessee.

Trenton Manuf. Co.

SEC. 13. *Be it further enacted*, That Wm. T. Grigsby, Gideon T. Black, Robert P. Caldwell, M. Oppenheimer, J. Wilhelmsdorfer, Wm. M. Hall, J. Bascomb Driskill and their associates, successors and assigns, be, and they are hereby constituted a body politic and corporate by the name and style of the Trenton Manufacturing Company and by that name shall have succession for fifty years, shall have power to contract and be contracted with, sue and be sued, plead and be impleaded in all courts of law or equity in this State, to make and

use a common seal, and to purchase, receive by gift or otherwise, and hold real or personal property, and erect buildings, put up engines and other machinery and fixtures for the purpose of manufacturing cotton, wool, furniture, iron and various kinds of machinery.

Capital Stock

SEC. 14. *Be it further enacted*, That the capital stock of said Company may be two hundred and fifty thousand dollars, divided into shares of one hundred dollars each, and when the sum of twenty thousand dollars of stock is subscribed the stockholders may, after giving ten days notice of the time and place of meeting, assemble and elect five of their number Directors of said Company, who shall hold their office twelve months and until their successors are elected and qualified. Said Directors shall elect one of their number President, they may also elect such other officers as they may deem necessary for the carrying on the business of said Company, said Company when thus organized shall have power to make such by-laws, rules and regulations as they may deem necessary for the carrying on the business of said Company, not inconsistent with the laws of this State. In all elections of Directors each share shall be entitled to one vote.

Election of officers, By-Laws, etc.

Rights, privileges, etc.

SEC. 15. *Be it further enacted*, That said Company shall have all the rights and privileges granted to similar corporations, and be subject to such general laws as may be passed from time to time for the government of corporations.

Gibson Cotton and Woolen Manuf. Co.

SEC. 16. *Be it further enacted*, That there be established in the county of Gibson at or near the town of Trenton, a Spinning, Weaving and Manufacturing Company, and that the subscribers thereunto are hereby incorporated and constituted a body corporate and politic in fact and in name, to be known by the name and style of the Gibson Cotton and Woolen Manufacturing Company, to have succession for ninety-nine years, for the purpose of manufacturing cotton yarns, cotton and woolen goods or either, and by that name they and their successors shall be and hereby are made capable in law or equity of suing and being sued, pleading and being impleaded, answering and being answered unto, in all courts whatsoever, and of having and using a common seal with privilege of altering or renewing at pleasure, that they and their successors and assigns in their corporate name, shall be and are hereby made capable in law to purchase and hold any lands or tenements, goods or chattels necessary or convenient

Privileges and purposes.

for carrying on the spinning or manufacturing purposes as aforesaid, and the same to use and employ, grant and dispose of as they shall deem proper, and to have all the rights and privileges pertaining to corporate bodies necessary for the purposes of their incorporation.

Comm'rs to open books.

SEC. 17. *Be it further enacted*, That books for the subscription to the stock of the said Company shall be opened in the town of Trenton, under the superintendence of the following Commissioners, to-wit: L. P. McMurray, E. J. Arnold, J. E. Wood, R. P. Caldwell, G. B. Black, E. G. Ivie, Wm. Gay, C. T. Love, W. T. Grigsby, R. P. Rains, J. M. Senter, M. Oppenheimer and W. M. Hall, and that the said Commissioners may appoint one other Commissioner at each of the following points in the county, to-wit: Rutherford, Dyer, Humboldt and Milan, whose duty it shall be to open a book for the subscription of stock as above, and that as soon as fifty thousand dollars shall have been subscribed, the said Commissioners at Trenton shall give twenty days' notice for the election of a Board of nine Directors, said Directors to be elected annually, by the stockholders, by ballot, either in person or by proxy, each share counting as one vote; and the stockholders shall appoint three of their number to be inspectors and judges in said election, when those obtainining a majority of the votes shall be declared Directors, who, when elected, shall choose one of their number to be President of said Board of Directors, in this the first, as in all succeeding Boards.

Meeting to elect officers, etc.

Payment of Shares.

SEC. 18. *Be it further enacted*, That as soon as said Directors are elected, it shall be lawful for said Company to commence operations, and the Directors for the time being, or a majority of them, shall have power to call for and demand of the stockholders, all such sum or sums of money by them subscribed, and which shall remain unpaid at such times and in such proportions as they shall see proper; after giving thirty days' notice of said calls, as before specified, and the same shall from time to time as called for be paid by the stockholders, under pain of the forfeiture of their shares, and all previous payments made thereon to said Company at the discretion of the Directors.

Capital Stock

SEC. 19. *Be it further enacted*, That the capital stock of said Company shall be one hundred thousand dollars, with the privilege to increase the same to two hundred and fifty thousand, which shall be divided into shares of one hundred dollars each, and that as an earnest of stock subscribed, subscribers shall pay over to Commissioners,

at time of enrolling their names five per cent. of amount of stock by them subscribed.

SEC. 20. *Be it further enacted*, That the said President and Directors, or a majority of them, may make, ordain and execute such by-laws, rules and regulations for the government of said corporation in their proceedings, and for the management of said stock and property, and for the transaction of business generally, as may by them be deemed necessary and convenient; *Provided*, the same do not conflict with the laws of the United States, or the State of Tennessee; and the said President and Directors may appoint such officers and agents, and allow such compensation as they think proper, and may remove the same at pleasure, and should any vacancy occur amongst the Directors by death, resignation or otherwise, such vacancy may be filled until the next annual election, by such person or persons from among the stockholders as the other Directors may appoint; and that the said President and Directors shall annually thereafter, by public notice, call meetings of the stockholders for electing other Directors of said Company, and should they fail or refuse or neglect to call said meetings as above, the stockholders, or a majority of them, may give the notice, call meetings and elect Directors as before provided; *And further*, upon the retiring of each Board a full and succinct statement of the exact condition of the Company shall be furnished the incoming Board, open for the inspection of stockholders, and that the said President and Directors shall pay over and transfer to their successors all moneys and effects of said Company in their hands.

By-Laws, rules, etc.

Powers and duties of Directors.

Statement, etc.

SEC. 21. *Be it further enacted*, That the stock and property of said corporation of what nature or kind soever the same may be, shall be deemed personal property, and shall be assignable and transferable on the books of said corporation, as shall be prescribed by the by-laws of said corporation.

Property.

SEC. 22. *Be it further enacted*, That the dividend of the profits of said Company shall be made semi-annually by the said President and Directors among the stockholders; but no stockholder indebted to the corporation shall be permitted to receive a dividend until such debt be paid to the satisfaction of the Directors.

Dividends.

SEC. 23. *Be it further enacted*, That the President and Directors elect and acting for the time being of said Company shall be and compose the general partners in trade, and that the residue of the shareholders shall be taken and held and considered special partners,

Liability.

and only liable for the amount of stock by them subscribed.

SEC. 24. *Be it further enacted*, That this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 6, 1869.

CHAPTER XLI.

AN ACT to Charter the Shelbyville and Tullahoma Turnpike Company, and for other purposes.

Commissioners.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Michael Shafner, Jno. H. Wells, Thomas C. Ryall, J. H. McGrew, Jno. Garner, Isaac B. Holt and Wm. G. Cowan, be and they are hereby appointed Commissioners to open books for the purpose of receiving subscriptions of stock in shares of twenty-five dollars each to any amount necessary to construct and build a turnpike road from Shelbyville to Tullahoma, on the waters of Little Flat Creek.

Legal powers

SEC. 2. *Be it further enacted*, That the subscribers to said stock, when the sum of three thousand dollars shall have been subscribed, they and their successors shall be a body politic and corporate, by the name and style of the Shelbyville and Tullahoma Turnpike Company, and in such name may sue and be sued, plead and be impleaded in any of the courts of this State, and shall have succession for the term of ninety-nine years.

Meeting to elect Directors.

SEC. 3. *Be it further enacted*, That when the said sum of three thousand dollars has been subscribed, the Commissioners shall call a meeting of the stockholders to meet in Shelbyville, after giving twenty days' public notice of the time and place of said meeting, who shall proceed and elect five of their number Directors to manage the affairs of said Company for the space of two years, and until their successors are elected and qualified. Said Directors shall elect a President, and such other officers as they may deem necessary, and shall have

By-Laws, etc.

power to pass all such by-laws, rules and regulations for the management of said road as they may deem advisable; *Provided*, they do not conflict with the Constitu-

tion and laws of the United States, and the Constitution and laws of this State.

SEC. 4. *Be it further enacted*, That an election for said five Directors shall be held biennially at Shelbyville, and that twenty days' public notice be given of the time and place before such election. In the election for Directors the vote shall be cast by share entitling the holder to one vote. Biennial election.

SEC. 5. *Be it further enacted*, That said road shall be opened thirty feet wide, and graded twenty-four feet wide—the grade to be not less than six inches, and as much over as the Directors may deem proper, higher at the centre than at either edge, and ditches at each side of three feet wide. Character of road.

SEC. 6. *Be it further enacted*, That the said road shall not exceed five degrees to the mile of elevation or depression.

SEC. 7. *Be it further enacted*, That the road be covered eighteen feet wide and six inches deep with broken rock, or river gravel; and that an additional coat of nine feet wide and six inches deep of fine broken rock or river gravel be put on the top of the first coat, and that there be good bridges and culverts made where necessary. Same.

SEC. 8. *Be it further enacted*, That whenever five miles of said road shall be completed, commencing at either end, it shall be lawful for said Company to erect one toll gate for each five miles, at such places as the Directors may select. Toll-gates.

SEC. 9. *Be it further enacted*, That said Company shall have and enjoy all the rights and privileges, and be subject to the liabilities conferred and imposed on the Shelbyville and Fayetteville Turnpike road by an Act passed the 31st day of January, 1854, during the session of 1853 and 1854, and Acts amendatory thereto, so far as they do not conflict with the foregoing sections of this Act. Privileges and liabilities

SEC. 10. *Be it further enacted*, That Samuel Pierce, Thomas Murrell, R. M. Happar, W. S. White, Spencer Ball, Wesley Funnell, Harvey Chidister, James Woolsey, Wm. Jones, G. N. Baily and John Weemes, Jr, are hereby incorporated and constituted a body politic under the name and style of the Lick Creek Fall Branch and Horse Creek Railroad Company, and by such may sue and be sued, buy, hold, receive by gift or otherwise real and personal property, make contracts, make all necessary by-laws, and do all other lawful acts which may be necessary for the business of the corporation hereby created, and to have and to use a com- Lick Creek, Fall Branch and Horse Cr'k R. R. Co.

mon seal, and to destroy and alter the same at pleasure.

Capital Stock, etc.

SEC. 11. *Be it further enacted*, That the above-named persons are hereby appointed Commissioners to open books for the subscription of capital stock of said Company to be received in shares of twenty-five dollars each, and as soon as there shall be the sum of fifty thousand dollars or upwards of stock subscribed, said Company shall be formed, and said Company shall have the right to increase its capital to the sum of one million of dollars, or to a sum sufficient to finish and conduct the business of the railroad hereinafter mentioned and described.

Election of Directors.

SEC. 12. *Be it further enacted*, That said Commissioners, or any of them, so soon as there shall be a sum of fifty thousand dollars subscribed, shall give notice to the stockholders of a time and place of meeting, and said stockholders shall elect a Board [of] ten Directors, one of whom said Board shall appoint President, and said Board shall manage and conduct the business of the railroad hereinafter mentioned; and in case of the death, resignation or removal of any one or more of the Directors, the remainder of said Board shall have the power to appoint a Director or Directors to fill such vacancy until the next election, and such Directors shall hold their offices until their successors are elected and qualified; and the stockholders shall hold an election every year at such place and time as may be designated by the stockholders, for the purpose of electing the Board of Directors, any eight of whom shall constitute a quorum to do business, and each Director, before entering upon his duty as such, shall take an oath that he will faithfully discharge the duties of his office to the best of his skill and ability.

Vacancies, etc.

Annual meeting, etc.

Under officers

SEC. 13. *Be it further enacted*, That the Board of Directors shall have the power to appoint all the under officers, to transact the business of said Company, and to take such bonds as may be necessary to bind such officers to perform their respective duties.

Business and purposes.

SEC. 14. *Be it further enacted*, That the business of said Company and the purpose of this Act, is the building, constructing and running of a railroad from some point on the East Tennnessee and Virginia Railroad between Lick Creek and Greenville, running up the Lick Creek Valley as near the village of Fall Branch as practicable, and down the Valley of Horse Creek to or near the mouth of said Horse Creek—the terminus of said road at or near Walden's Gap, and the stockholders shall have the power to fix the precise locality of

said road, and to have the same surveyed and laid out by and under their Board of Directors.

SEC. 15. *Be it further enacted*, That the right of way is hereby granted to said corporation to have and to hold in fee or otherwise any lands, tenements or hereditaments which may be necessary to said road for the purposes of said road whatever, to erect all necessary buildings, or from and off of which to procure stone, timber, earth, gravel or water; and whenever the right of way is not given or purchased, or for want of agreement or any other cause the same cannot be purchased or otherwise procured from the owners of the same, may be taken at a valuation to be ascertained in the way and with the same rights, conditions and liabilities pointed out and conferred in the charter of the East Tennessee and Virginia Railroad Company and the same mode of redress is hereby conferred and adopted. Right of way. Valuation.

SEC. 16. *Be it further enacted*, That as soon as said Company shall have funds sufficient to grade ten miles of said road the construction thereof may be commenced, and said Company may receive subscriptions to be paid in work in the grading of said road, or in furnishing cross-ties, or in produce, or any other things which may be necessary in the building of said railroad, and that each share of twenty-five dollars shall be entitled to one vote in all elections. Construction.

SEC. 17. *Be it further enacted*, That the counties of Greene and Sullivan, or any other county may take stock in said railroad in the following manner, viz.: the amount of stock for any county to take shall be proposed to the County Court at its Quarterly Session, and the vote of the Justices holding such Court shall be taken, and if a majority vote for taking stock a record thereof shall be made and an order that the amount of stock be taken, and for such stock bonds of the denomination of one hundred dollars each shall be issued and signed by the Chairman or Judge of the County Court, bearing interest at the rate of six per cent., payable annually, with coupons attached to said bonds for said interest, and said bonds shall run from ten to thirty years to maturity, as the Court may direct, and when issued shall be delivered to the said Company or its officers to be used in the grading or building of said road; and only to be sold and transferred as said County Court shall order, and said counties may take a money subscription to be paid in such installments as the County Court of the county taking stock may order. Counties may take stock. Issue bonds, etc.

SEC. 18. *Be it further enacted*, That the above

named Company shall have a right for thirty-three years, and that their capital stock, road bed, and other fixtures shall be exempt from taxation until said road is completed, and that said Railroad Company shall be subject to all the regulations, liabilities and enjoy all the rights, privileges and immunities of other roads under the general internal improvement law.

Taxes, rights and liabilities

SEC. 19. *Be it further enacted*, That the formation of a Company for the purpose of constructing a Railroad from Paint Rock near the North Carolina line, or at some point intersecting the Railroad now being constructed from Morristown, Tennessee, to Paint Rock, known as the Cincinnati, Cumberland Gap and Charleston Railroad, and from thence running to Cave Creek Furnace in Green County, Tennessee, thence the nearest and most practical route in the direction of Embryville Iron Works in Washington County, and may intersect with the East Tennessee and Virginia Railroad at some point to be determined by the survey.

Railro'd from Paint Rock to E. T. & Va. Railroad.

SEC. 20. *Be it further enacted*, That Wm. Gridner, Wm. Van Huss, Rufus Waddle, Gordon Taylor, Edwin Henry, S. S. Stephens, Edwin L. Hughes, John Snapp, Sam Snapp, John L. Blair, A. E. Jackson, J. D. McCampbell and their associates, successors and assigns, be, and they are hereby appointed and constituted a Board of Commissioners to solicit stock for the construction of the aforesaid Railroad, and a majority of the above named shall be competent to act, who may at such time and place and upon such terms as they may think proper open books for the subscription of stock, and who shall as to this road in all respects have the same powers and perform the duties prescribed for the Board of Commissioners of the East Tennessee and Western North Carolina Railroad Company, and whenever two hundred and fifty shares of said stock shall have been subscribed the Company shall be considered as formed and shall be a body politic and corporate under the name and style of the Nolichucky Valley Railroad Company, and by that name may sue and be sued, plead and be impleaded in all the courts of the State and of the United States having jurisdiction of the same, and shall have and enjoy all the rights, franchises and privileges granted to the East Tennessee and Western North Carolina Railroad Company, chartered by An Act dated May 24, 1866, together with several amendatory Acts thereto.

Commissioners.

To open books for subscription.

Nolichucky Valley R. R. Co.

SEC. 21. *Be it further enacted*, That the capital

stock of said Company shall be fifty thousand dollars, with the privilege of increasing it to a sum sufficient to complete said road, said capital stock to be divided into shares of twenty-five dollars each. Capital Stock.

SEC. 22. *Be it further enacted*, That the said Nolichucky Valley Railroad Company shall have three years from the passage of this Act of incorporation in which to commence work on said road and five years thereafter to complete it. Time to commence work.

SEC. 23. *Be it further enacted*, That any stockholder in this Company owning and holding in his own right twenty shares of stock shall be eligible to the office of Director in the Company. Eligibility.

SEC. 24. *Be it further enacted*, That section 37 of An Act passed March 5, 1865, to incorporate the Montgomery, Huntsville and Elk Gap Company and for other purposes, be, and the same is hereby amended so as to read Jehu Philips instead of John Phillips, and Daniel Jeffers instead of David Jeffers. Jehu Phillips and Daniel Jeffers.

SEC. 25. *Be it further enacted*, That section 39 of said Act be, and the same is hereby so amended as to give said corporation the further time of twelve months from and after the first day of January, 1869, to raise by good and solvent subscription the amount required in said Act. Further time.

SEC. 26. *Be it further enacted*, That the names of C. C. Wilcox and John H. Smith, which appear in the 39th section of An Act passed March 16th,, 1868, entitled An Act to Incorporate the Fayetteville and Wells Hill Turnpike Company of Lincoln County, Tennessee, and for other purposes, be, and the same is hereby stricken out. Wilcox and Smith.

SEC. 27. *Be it further enacted*, That sections 4 and 5 of An Act passed March 21st, 1860, entitled An Act to grant further time to the Rome and Carthage Turnpike Company to complete their road, be, and the same is hereby revived and the further time extended until the year 1872, to complete the road referred to in said sections. Rome and Carthage Turnpike Co, further time.

SEC. 28. *Be it further enacted*, That An Act to amend An Act passed March 16th, 1868, entitled An Act to Incorporate the Fayetteville and Wells Hill Turnpike Company and for other purposes, be so amended as to read in section 57 "who shall also put at their own expense such new fencing as it may require for the protection of the farm." Fayetteville and Wells Hill Turn. Co.

SEC. 29. *Be it further enacted*, That the proprietors

Kinka and Quals Turnpike Co.

of the Kinka and Quals Turnpikes be, and they are hereby required to keep up the same jointly, from where the roads intersect to the western base of Walden's Ridge, and that this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 11, 1869.

CHAPTER XLII.

AN ACT to Incorporate the Shelby County Agricultural, Mechanical and Horticultural Society.

Corporators.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That M. D. L. Stewart, A. J. Hayes, Wm. H. White, A. B. Haynes, Levi Trousdale, G. C. Holmes, K. J. B. S. Winn, Enoch Easley, and Joseph J. Powers, C. H. Rose, Eli Rayner, Cham Jones, Jr., and N. M. Trezevant, and their associates and successors, are hereby constituted a body politic, and corporate, under the name and style of "The Shelby County Agricultural, Mechanical and Horticultural Society," and to continue and run, for the period of thirty-three years, with power to erect buildings, hold fairs, exhibitions, and to offer and award premiums or prizes, and otherwise to encourage the Agricultural, Mechanical, Horticultural and Household interests of Shelby County; to make, and use, a common Seal; to make such by-laws, not inconsistent with the laws of this State or the United States, deemed necessary and proper for the government of the same, in its corporate name, to sue and be sued, to plead and be impleaded, to hold by purchase or otherwise, and to dispose of the same in any way, any real estate or personal property, which may be desired in carrying on its operations.

Purposes and powers.

Capital Stock shares, etc.

SEC. 2. *Be it further enacted,* That the capital stock of said company shall be one hundred thousand dollars, with the liberty to increase the same, as hereinafter prescribed, to be divided into shares of not less than twenty dollars each, to be subscribed and paid

for as the Board of Directors may direct. The shares shall be considered personal property, and shall be transferable only on the books of the Society, in person, or by attorney in fact.

Subscription books.

Meeting to elect Dire'ors.

Other officers.

Annual Meeting.

SEC. 3. *Be it further enacted*, That the corporators named in the first section of this Act, or any five of them, shall be authorized to act as Commissioners, with power to open books for, and to receive, subscriptions of stock, and when ten per cent. of the capital stock has been taken or subscribed, the said corporators shall immediately call, by publication for ten days, in one of the newspapers in Memphis, a meeting of stockholders or subscribers, who shall elect by ballot, a Board of nine Directors, who shall hold the office for one year, and until their successors are elected in their stead. The Directors shall elect one of their number President, who shall hold his office for a like term; and they shall elect such other officers or agents as they may deem necessary, and may assign to their officers, salaries. The annual meetings of the Society shall be held at such times and places as the Board of Directors may, from year to year determine. At each annual meeting, the Board of Di rectors shall be chosen for the ensuing year, but a failure to elect shall not work a forfeiture of the charter, but all officers shall hold their offices until their successors are elected and installed in their stead.

May increase Capital.

SEC. 4. *Be it further enacted*, That the Society may, at the pleasure of the Directors, and in such manner as they may elect, increase the capital stock to any amount not exceeding $500,000, and the Directors shall have power to sell, dispose of, or take subscriptions for, such additional stock, in such manner as they may deem advisable.

Forfeiture of stock, etc.

SEC. 5. *Be it further enacted*, That the Board of Directors, five of whom always constituting a quorum for business, shall have power after thirty days written notice, served upon the party, to declare forfeited to the Society any stock taken or subscribed, on default of the payment for thirty days for any call or calls, made by them on the stockholders, and they shall thereupon cancel the same on the books of the Society, and may issue the amount thus forfeited and cancelled, to any other subscriber.

SEC. 6. *Be it further enacted*, That Geo. T. Allman, Solon E. Rose, Elihu Edmondson, Joseph B.

Stacy, Geo. W. Gordon, A. J. McKinnon, William G. Lewis, and John C. Brown, or a majority of whom, their associates and successors, are hereby made a body corporate, by the name of the Giles County Blood Horse Association, for the development and improvement of the blooded stock of the county, by premiums, purses, and such other means as said corporation may deem proper.

Giles County Blood Horse Association.

SEC. 7. *Be it further enacted*, That the business of said corporation shall be conducted by a Board of Directors, to be elected by the Stockholders, which Board may choose a President, Vice President, Secretary, Treasurer, and such other officers and agents as they may deem necessary, and whose duties shall be prescribed by said Board.

How to be conducted.

SEC. 8. *Be it further enacted*, That said corporation shall have power to do and perform in said corporate name all such acts and things as bodies corporate may lawfully do, for the purpose aforesaid, and shall have ninety-nine years succession, and hold, own and manage real and personal property to an amount sufficient to effect the objects and purposes for which said company is incorporated, and by the name aforesaid, may sue and be sued, and shall have power to open books for stock, and prescribe the number and amounts of shares of stock which shall be taken as well as the terms upon which stock shall be subscribed.

Legal powers, etc.

SEC. 9. *Be it further enacted*, That said corporation shall have power to build, construct and control speed trotting and pacing tracks, upon which may be tested the speed of horses, upon such terms and at such times as said corporation may prescribe, and such corporation offer such premiums and purses as they choose, and shall, at their option, hold fairs and exhibitions of live stock upon such terms as may be deemed advisable by said corporation.

Tracks, Fairs, etc.

SEC. 10. *Be it further enacted*, That the office or place of business of said corporation shall be in Giles County, in the State of Tennessee.

Place of business.

SEC. 11. *Be it further enacted*, That said corporation may make its own by-laws and rules and regulations for its government, not inconsistent with this Act or with the Constitution and laws of the State of Tennessee or of the United States; provide for the election of its officers, and prescribe the length of time they may hold their offices, and do all other things

By-Laws, Election of officers, etc.

necessary to effectuate the objects of this Act; *Provided*, that nothing in this Act contained shall exempt this corporation from paying such tax as is by law imposed upon race-tracks.

Gaming.

SEC. 12. *Be it further enacted*, That no devices for gaming or gaming tables shall be allowed or permitted upon the premises of said incorporation, nor shall the sale of intoxicating liquors be permitted.

Purposes, rights and privileges.

SEC. 13. *Be it further enacted*, That said company have the same rights and privileges for the exhibition of live stock of any description, and of agricultural and mechanical implements, and specimens of agricultural, floral and horticultural industry, as are usually extended to agricultural and mechanical societies in Tennessee, and shall be subject to such taxes as similar incorporations.

SEC. 14. *Be it further enacted*, This Act shall take effect and be in force from and after its passage.

W. F. PROSSER,
Speaker pro tem. of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed February 12, 1869.

CHAPTER XLIII.

AN ACT to Amend An Act appointing Notaries Public for the County of Montgomery, and for other purposes.

Office at New Providence.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That from and after the passage of this Act it may be lawful for the County Court of Montgomery County, Tennessee, at any time to appoint, in addition to those already appointed, one other Notary Public, who shall reside in New Providence, county and State aforesaid, at which place is located the New Providence Savings Institute.

Subscriptions to Miss. Riv. R. R Co.

SEC 2. *Be it further enacted*, That in all cases in which counties have, under the laws of this State, subscribed stock in the Mississippi River Railroad Company, the said Railroad Company is hereby authorized to appoint its own Treasurer or other officers to collect, receive and receipt for such subscriptions, and to take

all legal steps necessary to cause the same to be paid; *Provided, however*, that before such Collector appointed by said Railroad Company be authorized to collect and receipt for such taxes, he shall enter into bond, to be approved by the County Court or Board of County (Commissioners), conditioned for the faithful performance of his duty, in such manner as the courts shall direct; and, *Provided*, said Company shall pay their said Collector the entire compensation he may receive for his said services, and that this Act shall take effect from and after its passage.

Treasurer to give bond.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 19, 1869.

CHAPTER XLIV.

AN ACT to Incorporate Alpha Lodge of Free and Accepted Masons and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the officers and members of Alpha Lodge No. 376 and their successors, be, and they are hereby constituted a body corporate and politic by the name and style of Alpha Lodge of Free and Accepted Masons, with the power by that name to sue and be sued, plead and be impleaded, answer and be answered unto, in all kinds of suits and actions, and generally to do and perform all other acts and things which bodies corporate may lawfully do for the purpose hereinafter named.

Legal powers.

SEC. 2. *Be it further enacted*, That said corporation shall have power to receive by gift, donation or purchase and hold personal and real property, to sell, exchange, mortgage or otherwise dispose of the same, as in their judgment may best subserve the interest of said corporation.

Donations, etc.

SEC. 3. *Be it further enacted*, That W. B. Dickinson, B. A. Williamson, E. A. Collins, J. H. Yancy, W. L. Horner, Z. G. Jackson and M. D. L. Jordan and their successors in office as Trustees, be, and they are hereby constituted a body politic and corporate under

the name and style of Milan College at Milan, Gibson County, Tennessee, with capacity to make and use a common seal, sue and be sued, plead and be impleaded, in any court of law or equity in this State; to buy, receive by gift or devise, hold, sell or dispose of real or personal property as they may deem best for said institution, and enjoy all the immunities and privileges which are granted by the Code of Tennessee for institutions of learning for thirty-three years. Milan College Gibson Co'ty. Legal powers.

SEC. 4. *Be it further enacted*, That said Trustees shall have power to organize by the election of a President and such other officers as they may determine, to fill vacancies in their body occasioned by death, resignation or otherwise, to make such by-laws, rules and regulations for the government of said institution as they may see proper, not inconsistent with the constitution and laws of the United States and of this State, to employ teachers or professors and with them to grant diplomas and confer any honors and degrees usually given by similar institutions. Organization, By-Laws, etc.

SEC. 5. *Be it further enacted*, That Lewis Gee, Anderson Woodard, John Gee, Samuel Pride, Deriks Gee, their associates, successors and assigns, shall be and are hereby constituted a body corporate and politic under the name and style of The Sons of Hermann Benevolent Society. Sons of Hermann Benev. Soc'y.

SEC. 6. *Be it further enacted*, That said Society shall afford relief and assistance to its members and of the needy of their race in the county of Davidson, in cases of sickness, death or disability to work, and also for the providing for the support of the needy widows and orphans of their race in the county of Davidson, and may establish branch societies for like purposes in the different portions of this State. Purposes, etc.

SEC. 7. *Be it further enacted*, That said Society shall by the name and style above set forth have succession for thirty-three years, and be capable of sueing and being sued in all courts of record or elsewhere, of having a common seal and the same to make, break, alter or change at pleasure, of acquiring and holding estate, real or personal, and the same to buy, exchange, sell or mortgage as the Board of Trustees of said Society may deem expedient; and said Society shall be capable in law of recovering or holding all manner of property whether by donation, bequest, or in any other manner or form. *Provided*, however, the same does not exceed one hundred thousand dollars in value, and provided the Gen'l powers and privileg's Proviso.

same can only be purchased, held, received or transferred for the purposes named in section 6 of this Act.

How conducted.

SEC. 8. *Be it further enacted*, That the affairs of this Society shall be conducted by a Board of Directors to be composed of a President, six Directors and a Secretary who shall act as Treasurer, all of whom shall be elected to office annually on the second Monday of March of each year, of whom five shall constitute a quorum, and said Board of Directors shall continue in office one year or until a new election is held.

Quorum.

By-Laws, etc.

SEC. 9. *Be it further enacted*, That said Society shall have power to make such by-laws for the government of said Society as shall seem best to them from time to time, for the admission of members or otherwise.

Present officers.

SEC. 10. *Be it further enacted*, That until an election be held on the second Monday of March, 1869, the present officers of said Society as by its records shall act as its Board of Directors.

Memphis Broom and Woodenware Manuf. Co.

SEC. 11. *Be it further enactcd*, That A. H. Merrill, T. L. Alden, M. D. Welsh, J. E. R. Ray, John Canavan, Kelsey Bond, E. J. Conner, Geo. S. Richardson, Henry Murphy, James Hall, M. D. L. Stewart and B. F. Van Brocklin, and their associates, successors and assigns, be and are hereby constituted a body politic and corporate, by the name and style of the Memphis Broom and Woodenware Manufacturing Company, and by that name shall have corporate succession for fifty years, and shall be competent to sue and be sued; to hew, cut, saw, turn, or otherwise fabricate, manufacture and vend any brooms, wood or iron used in manufacturing brooms or woodenware

Rights, etc.

Capital Stock

SEC. 12. *Be it further enacted*, That this corporation shall have power to fix its capital stock and increase or diminish it at will.

By-Laws, etc.

SEC. 13. *Be it further enacted*, That this corporation shall have power to establish by-laws, rules and regulations of the Company, not inconsistent with the State laws or laws of the United States.

Phœnix Iron Co.

SEC. 14. *Be it further enacted*, That Robert R. Swepson and his associates be, and they are hereby made a body politic and corporate by the name and style of the Phœnix Iron Company, and by that name and style shall have succession for thirty-three years, may sue and be sued, plead and be impleaded, in any court of law or equity as a natural person. It shall have power and authority to erect and operate at Knoxville or such other place in East Tennessee as it may select, a mill

for the manufacture of railroad and other iron, and to this end it may build and operate furnaces, purchase iron and coal mines and all such other real and personal property as may be necessary and convenient to its business, enact by-laws for the government of the corporation, appoint officers, agents and servants to transact and direct its business, to make contracts, have and keep a corporate seal, limit its capital stock, fix the value of its shares, and to exercise and enjoy all such incidental rights, privileges, franchises and immunities of a corporation as may be necessary and proper to enable it to carry out the objects of its creation.

Purposes, rights and privileges.

WHEREAS, Some years since a tract of land was donated by the munificence of one of the citizens of Knoxville, to the Physicians of Knoxville, and their successors, for Hospital purposes; and whereas, a donation in money was procured from Knox County, to the same parties for the same purpose; and whereas: The East Tennessee Relief Association donated a sum of money to the same parties for a similar charity; therefore,

Preamble.

SEC. 15. *Be it further enacted*, That Drs. O. F. Hill, James Rodgers, John W. Paxton, D. E. Boynton, S. H. Smith, Edward Goetz, and A. C. Putman, and their successors be, and they are hereby, constituted a Board of Trustees, and a body politic and corporate, under the name and style of East Tennessee Hospital, and in that name have power to sue and be sued, of pleading and being impleaded, of receiving donations of money or other property for the objects specified, and of holding, improving and protecting such property, as shall best subserve the interest of such a charity.

East Tenn. Hospital.

Powers, etc.

SEC. 16. *Be it further enacted*, That the object of this charity is to afford an asylum for the sick, where he can be cared for without pay, if destitute, or if he has the means, to be charged such a moderate sum as shall contribute in some degree to make the institution self-sustaining.

Objects, etc.

SEC. 17. *Be it further enacted*, That such officers shall be chosen by the Board of Trustees for the management of the Institution, as in their judgment are necessary for the best interests of the Institution, and also to establish such rules, regulations and by-laws as they may deem necessary for the good government and efficiency of the Institution, not incompatible with the laws of this State, or of the United States.

Officers, government, etc.

Vacancies.

SEC. 18. *Be it further enacted*, That whenever vacancies occur in the Board of Trustees, by death, removal or resignation, the remaining Trustees may have power to fill the vacancies, or add such number to this Board as they deem it necessary.

Shelbyville Woolen and Cotton Mills.

SEC. 19. *Be it further enacted*, That a corporation is hereby enacted, to be styled "the Shelbyville Woolen and Cotton Mills," with a capital of one hundred thousand dollars, and shall not exist for more than twenty-five years, the stock to be divided into shares of one hundred dollars each, transferable on the books of the company, and to be paid as the President and Directors of said company may determine.

Comm'rs to open books, etc.

SEC. 20. *Be it further enacted*, That William Garling, George W. Thompson, A. L. Landis, John P. Shute, William G. Cannon, Winston W. Gill, William T. Tune, and L. W. Barrett, be appointed Commissioners to open books for subscription of stock to said company, at such times and places as a majority of the Commissioners may determine; and when ten thousand dollars shall have been subscribed, the company may organize by the election of eight Directors for said company, one of whom shall be President, and shall continue in office for twelve months, and shall manage the affairs of said company.

Purposes, powers, etc.

SEC. 21. *Be it further enacted*, That said company shall have power to manufacture wool and cotton into fabrics, and erect the necessary buildings to carry on their business, and make semi-annual dividends. Their business shall be conducted in Bedford County, at such place as the company may designate or select.

Town of Somerville.

SEC. 22. *Be it further enacted*, That the charter of the town of Somerville, in the county of Fayette, be so amended that the following shall be its corporate limits, to-wit: Beginning at a point near the margin of Town Creek on the west, in the old Somerville and Memphis stage-road and Northwest of the residence of J. J. Holloway, four ($4\frac{3}{4}$) and three-fourths poles north, and eighty-nine (89) poles west of the center of the Court House door, on the north side; thence south $16\frac{1}{2}$ degrees west, sixty-three and one-half ($63\frac{1}{2}$) poles to a stake on the dividing enclosure, between Dr. A. B. Pulliam's residence lot and his stable yard; thence south (94) ninety-four poles, passing west of the residence of Mrs. R. A. Cannon, the late James Pettit and Dr. George T. Stull to a stake southwest of the resi-

Boundary line of Corporation,

dence of the said Dr. G. T. Stull; thence east (153½) one hundred and fifty-three and one-half poles, to the southeast corner of Asbury Warren's garden lot; thence north (87) eighty-seven poles to a stake opposite the southwest corner of the Male Academy lot; thence east passing said Academy lot, (25) twenty-five poles to a stake; thence north (104) one hundred and four poles, passing the residences of John Archer, Rev. W. D. F. Haffard, and J. M. Webb on the east to a stake on the south line of the town Commons; thence north 29½ deg. west (110) one hundred and ten poles, passing across the slope of the hills east and northeast of original corporate limits to a stake northeast of the house belonging to E. J. Tucker, Esq.; thence west (58½) fifty-eight and one-half poles, passing through the garden of William C. Trent, Esq., north of his residence to a stake northwest of the same; thence south 15½ deg. west (134) one hundred and thirty-four poles, passing on the west of the residence of said W. C. Trent, J. A. Williams, G. B. Allen, Mrs. Booth's, Miss Matilda Hilliard and J. A. Hill, to a stake in the old Memphis and Somerville stage road; thence west with said road (12¼) twelve and one-fourth poles to the beginning; and that all laws coming in conflict with this Act be, and the same is hereby repealed.

Boundary line of Corporation.

Same.

SEC. 23. *Be it further enacted*, That J. P. Wood, A. W. Brockway, J. W. Clarke, J. L. Poston, P. W. Sumner, J. M. Rutledge, H. S. Bradford, J. A. Moore and Noel J. Hunt and their associates and successors be, and they are hereby constituted a body politic and corporate, by the name and style of the "Brownsville Savings Bank," with the same powers and privileges, and subject to all the obligations as the Bluff City Savings Institution.

Brownsville Savings Bank

SEC. 24 *Be it further enacted*, That so much of section 5, chapter 35, of An Act passed December 16, 1867, incorporating the Gallatin, Lebanon and Murfreesboro Railroad Company, as requires fifty thousand dollars of stock in said Company to be taken before an election for Directors of said Company shall be held, be, and the same is hereby repealed, and it shall be necessary only for said purpose that ten thousand dollars of capital stock in said Company shall have been subscribed.

Gal, Lebanon and Murf. R. R. Co.

SEC. 25. *Be it further enacted*, That the corporate imits of the town of Elizabethton are hereby extended

Town of Elizabethton.

one-half mile every way beyond its present limits, and that the Mayor and Aldermen of said town shall have jurisdiction over the same from and after the passage of this Act, and all persons and property so embraced within said list, shall be liable to same rules, laws and by-laws, to which this is amendatory.

Annual Election.

SEC. 26. *Be it further enacted*, That the legal voters of said town shall elect a board of officers on the first Saturday in April, 1869, and every year thereafter for new officers, and all laws and parts of laws conflicting be, and the same are hereby repealed.

Roane Iron Co.

SEC. 27. *Be it further enacted*, That An Act passed December 6, 1867, incorporating "The Eagle Mining Company," is hereby so amended as to grant to the "Roane Iron Company" all the rights and privileges, and subject to all the restrictions granted to the East Tennessee and Georgia Railroad Company in regard to the right of way.

Williamson Co. Agr. and Mech'l Joint Stock Ass'n.

SEC. 28. *Be it further enacted*, That John McGavock, James P. Johnson, M. F. DeGraffenried, J. L. Shy, W. S. Ewing, S. B. Rozell, John Bostick, O. J. Kennedy, S. B. Smith, F. M. Lavender, S. S. Mosley, W. W. Courtney and their associates, successors and assigns be, and the same are hereby constituted a body politic and corporate, by the name and style of the Williamson County Agricultural and Mechanical Joint Stock Association, at Franklin Tennessee, and by that name and style shall have succession for thirty-three years, with the power to sue and be sued, plead and be impleaded, in all courts and places, contract and be contracted with, in all matters pertaining to the business and object for which this Association is formed; to have and use a common seal, which may be changed, modified, or altered at the pleasure of the company; to establish, ordain, and at pleasure, change such rules, regulations and by-laws for their government as they may deem necessary, not inconsistent with the Constitution and laws of the State of Tennessee and of the United States.

Legal powers and rights.

Capital Stock

SEC. 29. *Be it further enacted*, That the capital stock of said Company shall be ten thousand dollars with the privilege of increasing the same by a vote of the stockholders of said Company, to be divided into shares of twenty-five dollars each, and that no person shall be liable by virtue of his subscription of stock for more than the amount thereof; and every stockholder shall

be entitled to one vote for each share of stock shown by the books of said Company to have been owned by him for ten days prior to said election. Certificates of stock shall be transferred on the books of said Company by the owner thereof, or by an attorney in fact by him thereunto lawfully authorized. Voting, etc.

SEC. 30. *Be it further enacted*, That when six thousand dollars shall have been subscribed, the stockholders may elect and confirm their officers to consist of a President, Vice-President, Recording and Corresponding Secretary, a Treasurer and ten Directors, who shall be elected annually, and hold office until their successors are chosen. All vacancies occurring shall be filled for the remainder of the year by the acting Directors, a majority of whom shall constitute a quorum for the transaction of business. No person shall be a Director who is not a *bona fide* stockholder. Officers, vacancies, etc

SEC. 31. *Be it further enacted*, That said Company shall have full power and authority to purchase, lease, sell or dispose of any and all such real and personal estate as may be necessary or useful in carrying on the business of said Company. To erect buildings, fit up fair grounds, establish a speed ring for stock, to appoint all subordinate officers, award premiums, to expel a member for a gross violation of the rules, eject any person from their fair grounds or buildings for misconduct, to charge and collect gate and entrance fees, to collect rent for the use of booths or stables for the sale of goods or refreshments, and exercise any and all the powers granted to associations of a similar character in this State. Gen'l powers and privil'ges

SEC. 32. *Be it further enacted*, That the inhabitants of the town of Huntsville, as the same extends and is laid out, are hereby established a corporation and body politic by the name and style of the Mayor and Aldermen of the town of Huntsville, and by that name and style shall have perpetual succession; may sue and be sued, plead and be impleaded in all courts of law and equity, and in all actions whatsoever. May purchase, receive and hold property, real and personal in their said town, and may sell, lease or dispose of the same for the benefit of said town; and may purchase, receive and hold property, real and personal beyond the limits of the town to be used for the burial of the dead, and may sell, lease, or dispose of such property for the benefit of the town, and to do all other acts touching the same as natural persons. They may have and use a common seal, and change the same at pleasure. Town of Huntsville. Powers and privileges.

SEC. 33. *Be it further enacted*, That there shall be a

Town Council, to consist of a Mayor and Aldermen. The Board of Aldermen shall consist of three members from said town chosen by the qualified voters thereof, respectively, for one year. No person shall be an Alderman unless he be a citizen of the State of Tennessee and a *bona fide* resident in the town for which he is elected. Any Alderman, after his election, removing from the town, shall thereby vacate his said office. Each Alderman shall, before entering upon the duties of his office, take an oath that he will faithfully demean himself in said office. All vacancies in the Board of Aldermen shall be filled by the vote of a majority of the remaining members, together with the Mayor.

Town Council

Qualifications etc.

SEC. 34. *Be it further enacted*, That the Mayor shall be elected by the qualified voters of the town, and shall hold his office for one year and until his successor is elected and qualified. No person shall be elected Mayor who is not at the time of his election a citizen of the State of Tennessee, and a *bona fide* resident of said town. When two or more persons shall have an equal number of votes for the office of Mayor, the election shall be decided by a majority of the votes of the Council elect. A vacancy in the office of Mayor shall be filled in the same manner. The Mayor may fill all vacancies occurring in any office, except that of Alderman, until the same shall be filled by election. It shall be the duty of the Mayor to preside at all meetings of Council, to see that all the ordinances of the town are duly enforced, respected and observed, within the town; to take an oath of office before he enters upon the discharge of the duties of the same, and to call special sessions of the Council when he may deem expedient.

Election of Mayor, etc.

Vacancies.

Duties of Mayor.

SEC. 35. *Be it further enacted*, That the Town Council shall have full power and authority to appoint all officers, servants and agents of the corporation, such as they may deem necessary, and may provide by ordinance. They shall also fix the compensation of such officers before their election, which shall not be increased or diminished during their continuance in office. They shall also have power to dismiss any officer, servant or agent, by them appointed, two-thirds of said Council concurring in said dismissal.

Duties and powers of Council.

SEC. 36. *Be it further enacted*, That an election for Mayor and Aldermen may be held in said town by the Judges and Clerks appointed by the Commissioner of Registration for Scott county, Tennessee, on the first Saturday in March, 1869, or as soon thereafter as the Commissioner of Registration for said county shall

First election.

deem expedient after having given twenty days' notice of said election. The voters shall vote by ballot, and reside within said town. Non-resident freeholders may vote in said town, where their freehold is situated. The voters in said election shall have certificates of Registration under the Franchise Law of Tennessee, before they are eligible to vote; said Judges and Clerks of the election shall take an oath to faithfully and impartially discharge their duties. They shall open the polls at ten o'clock in the forenoon, and close them at three o'clock in the afternoon, when they shall forthwith proceed to ascertain and certify to the Commissioner of Registration for said county, the result of said election. All persons owning a freehold in said town, and all persons resident and paying taxes, shall, provided, they have certificates of Registration under the Franchise Law of Tennessee, be qualified to vote at said election. In all cases of a tie in the election of an Alderman or Mayor, shall be referred back by the Commissioner of Registration to the voters of the town, and held as before within the next succeeding twenty days.

Voting.

Polls.

Right to vote.

SEC. 37. *Be it further enacted*, That the Mayor and Aldermen shall have power by ordinance within the corporation:

Gen'l powers of Mayor and Aldermen.

1st. To levy and collect taxes upon all property taxable by law for State purposes.

2d. To levy and collect upon all privileges and polls taxable by the laws of the State.

3d. To appropriate money, and provide for the payment of the debt and expenses of the town.

4th. To make regulations to prevent the introduction of contagious diseases into the town; to make quarantine laws for the purpose, and to enforce the same within five miles of the town.

5th. To establish a system of Free Schools in the town.

6th. To make regulations to secure the general health of the inhabitants, and to prevent and remove nuisances; to regulate and suppress vagrancy.

7th. To alter, abolish, widen, extend, establish, grade, pave, or otherwise improve, clean and keep in repair, streets, alleys and sidewalks, or to have the same done.

Same.

8th. To establish, support and regulate a night watch and patrol.

9th. To provide for the erection of all buildings necessary to regulate the same.

Gen'l powers of Mayor and Aldermen.

10th. To license, tax and regulate, Auctioneers, Grocers, Merchants, Retailers, Taverns, Brokers, Coffee Houses, Confectioners, Retailers of Liquors, Hawkers, Peddlers, and Livery Stable Keepers.

11th. To license, tax and regulate hackney coaches, carts, omnibusses, wagons and drays, and to fix the rates to be charged for the carriage of persons and of property within the corporation.

12th. To license, tax and regulate, and suppress, theatrical and other exhibitions, shows and amusements.

13th. To regulate or prohibit the use of lights, candles, and stove-pipes, in stables, shops and other places.

14th. To regulate, or prohibit and suppress all disorderly houses, and bawdy houses.

15th. To establish standard weights and measures to be used in the town, in all cases not otherwise provided for by law.

16th. To provide for and regulate the police of the town; to impose fines, forfeitures and penalties for the breach of any ordinances, and to provide for their recovery and appropriation, and to appoint an officer of the town, being a Justice of the Peace, before whom such recovery may be had.

Same.

17th. To provide for the arrest and confinement until trial, of all riotous and disorderly persons within the corporation, by day or by night; to authorize the arrest of all suspicious persons, found violating any ordinance of the town.

18th. To prevent and punish by pecuniary penalties all breaches of the peace, noise, disturbances, or disorderly assemblies, in any street, house or place in the town, by day or by night

19th. To prevent any encroachments into and upon all streets, lanes, alleys and avenues, established by law or ordinance.

20th. To remove all obstructions from the sidewalks and to provide for the construction and repair of all sidewalks and curbstones, and for cleaning the same.

Same.

21st. To pass all ordinances, not contrary to the Constitution and laws of the State, that may be necessary to carry out the full intent and meaning of this Act, and to accomplish the object of their incorporation.

SEC. 38. *Be it further enacted*, That the General Assembly may at any time alter, amend, or repeal

this charter, and the same is hereby declared to be a public law, and may be read in evidence in all courts without proof or special pleading. Public Law.

SEC. 39. *Be it further enacted*, That the Mayor and Aldermen shall have power to erect and organize a work-house within said corporation, and any person who shall fail or neglect to pay any fine or costs imposed on him by any ordinance of the town, shall be committed to the work-house, or otherwise made to work on streets, or in any manner that said Mayor and Board of Aldermen shall deem proper, until such fine and costs be fully paid. Every person committed to the work-house or otherwise, may be required to work for the town at such labor as his health and strength will permit, within or without said work-house, not exceeding ten hours each day, and for such work and labor, the person so employed, shall be allowed, exclusive of his board, a credit on such fine and costs of seventy-five cents per day, until the whole is discharged when he shall be released; *Provided*, That no person shall be compelled to work longer than three months for any one offence. Workhouse. Offenders to work for town

SEC. 40. *Be it further enacted*, That the corporation Constable have power to execute State warrants and other process, which Constables generally have the power to execute within the limits of the corporation. To take effect from and after its passage. Powers of Constable.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 12, 1869.

CHAPTER XLV.

AN ACT to Incorporate the Raleigh Mineral Springs Hotel Company.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That J. M. Coleman, W. B. Greenland, C. B. Galloway, S. M. Allen, M. D. L. Stewart, Brunson Bayless, John Stratton and G. K. Duncan be and are hereby constituted a body corporate and politic by the name of the Trustees of the Raleigh Corporators.

Mineral Springs Hotel Company, and shall have power to purchase, receive and hold for themselves and their successors any land, goods and chattels which may be given, granted or devised to them, or purchased for the use and benefit of said Hotel Company, and to appropriate, use and dispose of the same for the use and benefit of said Hotel Company, and by the name aforesaid may sue and be sued, plead and be impleaded in any court of law or equity of the State or elsewhere.

Legal powers.

SEC. 2. *Be it further enacted*, That the capital stock of said company shall not exceed one hundred thousand dollars, to be divided into shares of fifty dollars each.

Capital Stock

SEC. 3. *Be it further enacted*, That the said Trustees may have the power of increasing their number to twelve, to elect others when vacancies shall occur from any cause, to enact by-laws and establish such regulations and conditions of membership as may be deemed necessary for the management and disposition of the interest and affairs of the corporate body.

Trustees, powers, etc.

SEC. 4. *Be it further enacted*, That the said Trustees shall have power to elect a President, Secretary and Treasurer, to appoint all necessary agents.

Same.

SEC. 5. *Be it further enacted*, That said Trustees shall have power to open books at such times and places as they may think best, for the subscription of stock in said Hotel Company, and as soon as one hundred shares shall be subscribed a meeting of the Stockholders shall be called at Raleigh, in Shelby County, by the President of said company, or by any two of said Trustees, of which meeting thirty days' notice shall be given in two of the newspapers of the city of Memphis, at which meeting the Stockholders shall elect five Directors, one of whom shall be President, and the said President and Directors and their successors in office shall have thirty-three years' succession.

Subscription books.

Meeting.

SEC. 6. *Be it further enacted*, That one hundred shares of said capital stock aforesaid shall be subscribed and paid in on or before the first day of July, 1869, otherwise shall be a forfeiture of the charter of said Hotel Company.

Shares.

SEC. 7. *Be it further enacted*, That James B. Craighead, Charles W. Smith, Louis P. Tscheffely, Randal M. Weber, P. P. Peck and Benjamin Lillard, be and are hereby constituted a body corporate by the name of the "Circulating Library Association of Nashville," with power to sue and be sued, to plead and be impleaded, answer and be answered in all kinds of suits and actions, and to all acts and things which bodies corporate may lawfully do, and shall have succession for thirty-

Circulating Library Ass'n of Nashville.

three years; that the corporation shall have power to receive by gift, donation or purchase, and to hold personal, real and mixed property, to sell, exchange, mortgage, or otherwise dispose of the same, as in their judgment may best subserve the interests of said association; that said association shall be empowered to do all acts and things, to pass all by-laws which may be necessary to the carrying out of the objects of the corporation; *Provided*, that none of the acts, by-laws or regulations be inconsistent with the Constitution and laws of the State; that a majority of said association shall constitute a quorum to transact business; that any vacancy occurring in said association shall be filled by election by the remaining members.

Powers and privileges.

Proviso.

SEC. 8. *Be it further enacted*, That the subscribers for the stock hereinafter mentioned, shall be and are hereby constituted a body politic and corporate by the name and style of the Fayetteville and Elkton Turnpike Company, and by that name will sue and be sued, plead and be impleaded, and shall have a common seal, and ninety-nine years' succession.

Fayetteville and Elkton Turnpike Co.

SEC. 9. *Be it further enacted*, That D. M. Perkins, Jack Whittaker, Robert Fullerton, Peter G. McMullen, J. D. Tilman, L. D. Suggs, Henry Suggs, D. F. Hobbs, Frank Ezell, R. C. Nelson and Dr. Yowell, of the county of Lincoln, and Neil McCallum, Dr. C. McGuire, Matt. Wilson, John C. Patterson and George Bowers, of the county of Giles, be appointed Commissioners to open books and receive subscriptions for the purpose of building a turnpike road from Fayetteville to Elkton on and along as near as practicable the direct road from Fayetteville to Elkton, passing by or near Peter G. McMullen, Mrs. Dismukes and the Suggs; that said Commissioners may run said road from Bethany, so as to intersect the Pulaski and Elkton Turnpike anywhere between Elkton and James Scruggs'; that the capital stock of said company shall be forty thousand dollars, or any sum sufficient to build said road, which shall be divided into shares of fifty dollars each, to be applied to building said road, as hereafter specified; that said Commissioners shall designate in their proposals for subscription, how much stock is to be taken before the work shall begin, and into how many installments payments of stock shall be divided. When the amount of stock designated shall be subscribed, the Commissioners, or a majority of them, shall call a meeting of the Stockholders, and, when assembled, a majority of the Stockholders being represented, they shall proceed to elect five Directors, being Stockholders, and whose duty it

Comm'rs to open books.

Route of road

Capital Stock

Election of Directors, etc.

shall be to manage the affairs of the Company; said Directors shall elect one of their own number President, and the President and Directors thus chosen, shall have power to elect a Secretary and Treasurer, or one person to perform the duties of both offices; they shall have the power to pass by-laws for the government of said Company, put the road under control, take bonds from contractors, its servants and agents, and do all things necessary to complete said road and keep the same in repair. The President and Directors and officers thus chosen shall hold their offices for two years and until their successors are elected and qualified. The President and Directors shall, every two years, call a meeting of the Stockholders to elect new officers, in which election, such stock only as may have been paid in, shall be entitled to representation and dividends, but dividends due and owing to any parties on their stock paid, shall be applied to the payment of any stock that may be due and owing by said parties. Said Company, when organized, shall possess and enjoy all the rights, powers and privileges and be subject to the conditions, limitations and restrictions granted to and imposed upon the Lebanon and Nashville Turnpike Company, chartered by Act of February, 1836, except so far as the provisions of this Act are inconsistent with the said Act of 1836.

Powers of Directors.

Meeting, Dividends, etc.

Gen'l powers.

SEC. 10. *Be it further enacted*, That subscriptions may be made either in money or in work, the value of the work done by any subscriber to constitute the amount of stock of said subscriber in said Company. In the event of any subscriber or subscribers taking any part of said road and failing to have it finished according to contract, then he, she or they, shall be liable to the Company for the estimated value of b ilding said portion of the road so subscribed and undertaken to be built.

Subscriptions liability, etc.

SEC. 11. *Be it further enacted*, That the grade of said road shall not exceed five degrees, except at the Sugg and Bradshaw hill where a grade of seven degrees shall be allowed; said road shall be opened twenty-two feet wide, bedded and graded eighteen feet, and paved with stone or gravel, the first coat to be twelve feet wide and six inches deep and the second eight feet wide and six inches deep.

Character of road.

SEC. 12. *Be it further enacted*, That when five miles of said road are completed the Company may erect a toll-gate not nearer than one mile of Fayetteville, and an additional gate for every five miles thereafter com-

Gates, tolls, etc.

pleted, and the Company may demand and receive at each of its gates the same rates of tolls as are allowed to the Fayetteville and Shelbyville Turnpike Company.

SEC. 13. *Be it further enacted*, That all the provisions of the charter of 1859 and 1860, incorporating the Fayetteville and Elkton Turnpike Company which are inconsistent with this amended charter are hereby repealed. Repealed.

SEC. 14. *Be it further enacted*, That the charter of the City of Chattanooga be, and the same is hereby amended as follows: The offices of City Marshal and City Engineer be, and are hereby abolished, and that the Board of Equalization shall hereafter consist of the Mayor, Assessor and Treasurer. Charter of Chattanooga amended.

SEC. 15. *Be it further enacted*, That all laws abolishing the office of City Recorder in the city of Chattanooga, be, and the same are hereby repealed, and the said office is hereby restored with all the rights, privileges, duties, powers and jurisdiction as provided by law before said office was abolished. The Recorder shall have the civil and criminal jurisdiction of a Justice of the Peace, within the corporate limits of the city of Chattanooga, and shall be *ex officio* Chief of the Police of said city; shall collect the delinquent taxes in said city, as has heretofore been the duty of the City Marshal, and with the same powers and compensation for said services. The Recorder shall be elected by the Board of Mayor and Aldermen, and shall hold his office for two years and until his successor shall be elected and qualified, and his salary shall be fixed by the Board of Mayor and Aldermen in addition to his regular salary, as fixed by the Board of Mayor and Aldermen. The Recorder shall be entitled to the fees and perquisites of the office, as heretofore attached to said office before the same was abolished. The Recorder shall take an oath of office and enter into a bond, with good security, to be approved by the Board of Mayor and Aldermen, in the sum of five thousand dollars, payable to said Board of Mayor and Aldermen, and conditioned for the faithful discharge of the duties of his office, and in addition thereto, shall give bond, as required by law, as a Justice of the Peace, to account for fines and forfeitures due to the State of Tennessee. City Recorder. Jurisdiction, powers, etc. Election, salary, etc. Oath, bond, etc.

SEC. 16. *Be it further enacted*, That the Board of Mayor and Aldermen shall have power to organize a

police force for said city, as provided by law before An Act passed May 14, 1866, chapter 35, Acts 1865-6. The members of said police shall be nominated by the City Recorder, and be subject to confirmation by the Board of Mayor and Aldermen, and may be dismissed by said Board for proper cause or on the recommendation of the City Recorder.

Police Force.

SEC. 17. *Be it further enacted*, That all laws and part of laws establishing a Metropolitan Police District for the city of Chattanooga, be and the same are hereby repealed.

Repealed.

SEC. 18. *Be it further enacted*, That the corporate limits of the city of Chattanooga be and the same are hereby so changed as to include within the corporation of Chattanooga the Southeast quarter of section No. 21, in the second fractional township, third range west of the basis line in the Ocoee District, and extending opposite said land to the middle of Tennesse River.

Corporate limits.

SEC. 19. *Be it further enacted*, That all laws or parts of laws in conflict with any of the provisions of this Act be, and the same are hereby repealed; *Provided*, That nothing in this Act shall effect or impair the claims of the State for money heretofore advanced in support of the Metropolitan Police System of Chattanooga, by An Act passed December 17, 1867, or any other Act now upon the statutes of the State; *Provided further*, That this Act shall take effect whenever the Mayor and Aldermen of the city of Chattanooga shall file their written assent to the provisions of this Act with the Secretary of State; *Provided further*, That it shall be the duty of the Comptroller of the Treasury and the Attorney-General for the State, to take all steps and perform all the duties enjoined upon the Metropolitan Police Commissioner of Chattanooga by the 2d section of An Act passed December 17, 1867, chapter 26, in relation to said police, and all the rights of the State thus existing shall not be prejudiced by this Act, but are preserved.

Repealed.

Provisos.

SEC. 20. *Be it further enacted*, That the amended charter of the Non Conner Pike Company, passed March 4, 1867, be amended to read four years from the passage of this Act.

Non Conner Turnpike Co.

SEC. 21. *Be it further enacted*, That the President and Directors of the Desoto Insurance and Trust Company are hereby authorized and empowered, and *may* at any time after the passage of this Act, provided

DeSoto Ins. and Trust Co.

that at an election held for that purpose, two-thirds of the capital stock of said corporation, upon the basis of one vote for each share of one hundred dollars shall vote in favor of such change, discontinue the business of Insurance and adopt that of a banking business under the name and style of *Union and Planters Bank of Memphis*, with the privilege of increasing the capital stock to a sum not exceeding one million of dollars, retaining all their present rights, privileges and immunities, excepting only that of insurance; and in addition thereto, shall have power to receive and pay out deposits, buy, sell, discount and deal in all kinds of commercial and business paper, notes, bills of exchange, uncurrent money, coin, gold and silver bullion, other securities and valuables, and generally to do whatever is necessary and incident to a banking institution, and so much of their charter as now limits and qualifies the character of paper to be dealt in, the time the same has to run to maturity, and the number of endorsers thereon is hereby repealed; provided that the change of the name and business of said Company shall not effect the interest of parties who may have insured in the Desoto Insurance Company.

Election to change business.

Purposes and privileges, etc

SEC. 21. *Be it further enacted*, That Joseph Upton, J. A. Peck, B. C. Pettitt, W. N. Bicknell, G. Cannon, J. A. Coffin, J. Johnston, S. McCaulie, T. G. Boyd, J. G. Cole, G. W. Williams, J. Minnis, H. P. Williams, J. N. Patton, S. Y. G. Williams. H. P. Dickey, J. McMullen, W. C. P. Jones, D. P. Walker, F. Bogort and W. N. Briant, with their associates and such other persons as may be hereafter interested as stockholders by subscription to the capital stock of said Company or by assignment, are hereby declared to be a body corporate and politic, by the name of the White Cliff Mineral Springs Company, and by that name shall be authorized to use a common seal, to sue and be sued, plead and be impleaded, in all the courts of this State, and have succession for ninety-nine years.

Corporators of White Cliff Mineral Springs Co.

SEC. 23. *Be it further enacted*, That under said name of the White Cliff Mineral Springs Company, they shall have the right to hold real estate, and from time to time may purchase other property, both personal and real, in their corporate capacity, and that they may hold and own the real estate of the White Cliff Springs with all the improvements thereon, which

Springs' property.

property is situated in Monroe County, Tennessee, and known as the White Cliff Springs.

Other property.

SEC. 24. *Be it further enacted*, That said Company shall have the right to purchase other real or personal estate, or other property as they may deem proper for the use of the Company, and the same from time to time, to sell, exchange, mortgage, lease, or otherwise to dispose of as they may see proper.

By-Laws, rules, etc.

SEC. 25. *Be it further enacted*, That said White Cliff Mineral Springs Company shall have power to appoint such officers and adopt such by-laws, rules and regulations, and from time to time, change and alter the same, as they may deem proper and necessary for the best interest of the property.

Capital Stock Shares, etc.

SEC. 26. *Be it further enacted*, That the capital stock of said Company shall be in shares of one hundred dollars each, and shall be transferable on the books of the Company in such manner only as the Directors of the Company may prescribe, and that the Secretary of the Company issue scrip or stock certificates to the stockholder for their stock, and shall enter the same on the books of the company, with the date when issued, and said stock shall be considered as personal property and transferable.

Annual Meeting.

Officers, etc.

SEC. 27. *Be it further enacted*, That the stockholders shall hold annual meetings of the Company; the time for such meetings to be fixed by the by-laws, at which meetings they shall elect five Directors to manage the business of the Company, to make contracts for building, any buildings, hotel or any other improvement or roads, and at all such meetings an election shall be held for President, Secretary and Treasurer of the Company, and all such elections shall be made by a majority of the votes, each share of one hundred dollars being one vote, and such officers shall hold their offices for one year, or until their successors are elected.

Subs'ptions to Miss. River R. R. Co.

SEC. 28. *Be it further enacted*, That the stock authorized to be subscribed in the Mississippi River Railroad Company bythe County Courts or County Commissioners of the counties along the line of said railroad, may be payable in not exceeding six annual installments instead of three as now provided by law.

Counties to [illegible]n.

SEC. 29. *Be it further enacted*, That the counties shall own and have issued to them the full amount of the stock in the Mississippi River Railroad Company,

which the County Courts or County Commissioners are now by law authorized to subscribe, whether said subscriptions be paid in cash or in county bonds.

SEC. 30. *Be it further enacted,* That all stock subscribed by counties under the foregoing provisions, and all stock subscribed or paid for in money or service by individuals subsequently to May 15, 1865, be, and the same is hereby declared and constituted to be a preferred stock of said Mississippi River Railroad Company, and all other stock, if any, shall be called the common stock of said Company, and the preferred stock shall be entitled to preferred dividends equal to ten (10) per cent. per annum from the net earnings of said road, and after paying construction account, and then if there be any excess of earnings undistributed, it may be divided between the preferred and common stock share and share alike. Preferred stock.

SEC. 31. *Be it further enacted,* That all Acts and parts of Acts inconsistent with the provisions of this law be, and the same are hereby repealed. Repealed.

SEC. 32. *Be it further enacted,* That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed February 12, 1869.

CHAPTER XLVI.

AN ACT to Incorporate the Wilson County Agricultural and Mechanical Association, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Joseph M. Anderson, DeWitt Anderson, William D. Allen, James H. Britton, William P. Bandy, Carlos G. Clay, J. B. Baird & Brothers, (J. B. and W. H. L. and R. P. Baird,) David Cook, Jr., D. J. Carney, H. M. Cartmell, W. B. Campbell, J. D. Chambers, H. A. Chambers, William Cartmell, W. W. Carter, J. A. Lester, J. F. Coe, W. Morris, Alfred R. Davis, George L. Drifoos, Thom- Corporators.

as M. Edwards, A. R. Fonville, M. T. Bennett, William E. Foust, John M. Fakes, Jr., William T. Goldston, Jno. C. Glenn, William Grisham, Edward I. Golladay, W. E. Green, Preston Hill, F. S. Harris, N. A. Jennings, Davidson Johnson, J. D. Lester, Andrew R. Miller, Thomas Miller, William M. McCorkle, T. C. Mitchell, Samuel T. Mottley, Cicero L. Murphy, R. P. McClain, John H. McClosine, Ed. M. Neal, James Nelson, C. H. Oldham, James B. Price, Jno. B. Richmond, Eldridge G. Seawell, William Saddoth, W. H. Smith. Matt. N. Thompson, William G. Tipton, Thomas B. Taylor, Alexander W. Vick, W. W. Whitesides, Cicero A. Winter, John Wood, Lafayette Walsh, W. A. Wade, James A. Woollard, C. J. Woollard, citizens of the County of Wilson, and their associates, successors and assigns, be, and the same are hereby, created, constituted and declared a body politic and corporate, under the name and style of the Wilson County Agricultural and Mechanical Association, and by that name and style shall have succession for thirty years, with power to contract and be contracted with, sue and be sued, plead and be impleaded, answer and be answered unto, in all the courts of law and equity in this State; to make and have a common seal, and change the same at will; with full power to purchase and lease real estate, and receive in donation and enjoy and possess estate, real and personal, and mixed, alienate and convey and otherwise dispose of the same; to make and establish a constitution and by-laws for the regulation and government of said Association, not inconsistent with the Constitution and laws of the land.

Corporators.

Legal powers.

By-Laws, etc.

SEC. 2. *Be it further enacted*, That the object of said Association shall be the advancement, improvement and encouragement of Agricultural, Horticultural and Scientific interests in the county, as it may seem proper, and also the improvement of all stock and blooded horses, and for the attainment of such objects and interests, shall hold fairs, on its grounds, at such times and upon such terms as the President and Directors may determine, to award premiums in money medals and wares, upon stock, agricultural productions, mechanical implements and tools, manufactures, productions of the garden and dairy, and upon whatever else the President and Directors may agree upon; and for the purpose of carrying out the objects of the

Purposes, privileges, etc

Premiums.

Association, may erect buildings, fixtures, fences, booths, and stalls upon their grounds, and charge fees for admittance upon and the enjoyment of the privileges of their grounds, buildings, booths, etc.; and for the purpose of securing order and safety, the President shall have power to nominate and appoint policemen, not exceeding ten in number, who shall wear a badge, and who in and upon the grounds of said Association shall have all the powers of Constables and other peace officers of this State, in making arrests, preserving order, and enforcing law against disturbance.

Buildings, grounds, etc.

Policemen.

SEC. 3. *Be it further enacted*, That the capital stock of said Association shall be five thousand dollars, with the privilege and power of increasing the same from time to time as the President and Directors may determine, to an amount not exceeding fifty thousand dollars, and said capital stock shall be divided into shares of one hundred dollars each, and two or more persons may purchase and own a share of said stock; and the stock and property of said Association, of whatever nature, shall be transferable and assignable on the books of said corporation, in such manner as the regulations and by-laws thereof may prescribe.

Capital Stock Shares, etc.

SEC. 4. *Be it further enacted*, That said Association shall have power to borrow money, and execute its notes for the same, and mortgage its property as security therefor, in such sums as may be necessary to meet any debt created in its business, or to enable it to purchase necessary property in the furtherance of its objects; and it may purchase such real estate as it may need, on such credit as may be agreed on.

May borrow money.

SEC. 5. *Be it further enacted*, That the incorporators and stockholders of said Association shall, in person or by proxy, on the first Saturday in every April, meet and organize by the election of a Board of Directors, of not less than seven nor more than thirteen, who shall have the control and management of the affairs and interests of the company, a majority of whom shall constitute a quorum for the transaction of business, and each being a stockholder, who as well as their successors, shall hold their office for the term of one year, and until their successors are elected; and should it happen that said election of Directors should not be made on said first Saturday in April, the said Association shall not for that cause be dissolved, but it shall and may be lawful to make and hold an election

Annual Meeting, Quorum, etc.

Term of office

for Directors on some other designated day, of which twenty days' notice shall be given.

SEC. 6. *Be it further enacted*, That the officers of said Association shall be a President, Vice President, Secretary, Assistant Secretary and Treasurer, who shall be chosen from the Board of Directors, and such other officers as may be needed in the interests of the company shall be appointed from time to time by the President, by and with the consent of the Board of Directors.

Appointment of officers.

SEC. 7. *Be it further enacted*, That for the present organization of the Association, the following officers and Directors are named and declared, who shall hold office until 1st Saturday in April, 1869: Jos. M. Anderson, President; Carlos G. Clay, Vice President; R. P. McClain, Secretary; W. M. McCorkle, Assistant Secretary; David Cook, Jr., Treasurer; and Thomas Miller, James H. Britton, W. P. Bandy, Wm. Cartmell, Thomas M. Edwards, Wm. T. Goldston, T. C. Mitchell, Jno. B. Richmond, E. G. Seawell, Matt. N. Thompson, W. W. Whitesides, Lafayette Walsh, John Wood, shall be Directors; and the Directors shall have power to make, ordain, and establish a constitution and by-laws, for the government of said Association in its proceedings, and for the management of its stock and property, as may be deemed necessessary and proper; *Provided*, The same be not repugnant to this charter, or inconsistent with the Constitution and laws of the land; said constitution and by-laws may be amended and changed from time to time, by said Directors, as in their judgment the interests of the Association may demand.

Present Trustees.

Powers.

Proviso.

SEC. 8. *Be it further enacted*, That said association shall have power to receive real estate, money, labor and material in payment of subscription to stock, as may be deemed by the Directors advisable, and the meetings of the Board of Directors shall be at such times and places as they may themselves determine; and special meetings thereof may be called by the President or a majority of the Directors, and at all meetings a majority shall constitute a quorum for the transaction of business.

Subscriptions meetings, etc.

SEC. 9. *Be it further enacted*, That said Directors shall keep, or cause to be kept, proper books of stock and accounts of the business and affairs of the association, which shall be subject at all times to the inspection of the stockholders; and they shall annually, at the ex-

Books, annual statement, etc

piration of their term of office, make a full and correct report to the stockholders of the transactions of the year, showing the amount of property and means received, and whence received, the amount disbursed, and for what purposes disbursed, the amount on hand, together with such other information as may be required by the stockholders, or deemed important to the interests of the association.

Dividends.

SEC. 10. *Be it further enacted*, That the dividends of the profits of said association shall be made at such times among the stockholders, as the Directors may determine; and no person shall be liable by virtue of his subscription of stock for more than the amount thereof, and he shall pay his stock at such times as may be directed and determined by the Board of Directors; and when paid, he or she shall not be personally liable for the debts of the association; and all stockholders failing to pay all or any part of his subscription, shall incur forfeitures of his or her interests under the regulations and by-laws of said association as may be prescribed, and the Secretary and Treasurer of said association shall open books for subscription and receive the same under the provisions of this charter.

Liability, forfeitures, etc.

Blood Stock.

SEC. 11. *Be it further enacted*, That said association be authorized to deal in blooded stock; but in no case shall the blooded stock owned by the association come into competition for the premiums offered by said association for blood stock, or otherwise.

May make track.

SEC. 12. *Be it further enacted*, That said association shall have the power to make and build upon their grounds a track for the training and running of blooded and race-stock, with all the powers and privileges conferred on the Nashville Blood Horse Association, if they shall see fit.

Taxes, dissolution, etc.

SEC. 13. *Be it further enacted*, That this association shall be subject to such taxes as may be imposed on similar corporations in the State; and said association shall not be dissolved unless by a vote of two-thirds of the capital stock; and the right to change, alter or repeal this Act is hereby reserved to any subsequent Legislature, so as not to interfere with any vested rights that may occur under this charter, and nothing shall be so construed as to grant said association banking privileges, or privileges otherwise and different from those expressed in this charter.

Corporators.

SEC. 14. *Be it further enacted*, That Cullen E. Douglas, David L. Johnson, James Alexander, Thomas H. Bell, E. G. Gillespie, Isaac W. Harris, Thomas C. Douglas, Jo. Edwards, Wm. H. Hall, William S. Mun-

day, W. F. Holder and Richard E. Douglas, and their associates be, and they are hereby declared a body politic and corporate, by the name and style of the Sumner County Agricultural and Mechanical Society, at Gallatin, Sumner county, Tennessee, and shall have succession for thirty-three years, and a common seal; and they and their successors by the name aforesaid, shall have and they are hereby invested with all the legal powers and capacities to buy, receive, possess, hold, alien and dispose of any and all property, for the use and benefit of said society and the furtherance of the purposes for which the same is organized, and may sue and be sued in any of the courts of law or equity in this State in the most ample manner.

Sumner Co'ty Agricu'al and Mech. Society

Powers and capacities.

SEC. 15. *Be it further enacted*, That the society aforesaid shall have power to elect a President, Vice-President, Secretary and Treasurer, and a Board of ten Directors; and to adopt such by-laws, rules and regulations as may be deemed most promotive of the interests of said society, and to confer upon the Board of Directors all the powers necessary for the proper and efficient management of the business of the society.

Officers, By-Laws, etc.

SEC. 16. *Be it further enacted*, That said society shall have the power to hold annual fairs or exhibitions and award such premiums upon the industry of the county as may be prescribed by the Board of Directors; to charge such fees for admittance to their fairs and competition for their premiums as may be regularly prescribed and fixed by the Directors. They may likewise, by proper by-laws and [regulations] regulate the holding of their fairs, preserve the peace and order during their exhibitions, and do every necessary act in furtherance of their fairs in and upon their grounds, not inconsistent with the laws of the land.

May hold Fairs, etc.

SEC. 17. *Be it further enacted*, That said society shall have power to open agricultural rooms for the purpose of collecting and disseminating agricultural, mechanical and artistic statistics, and other information, as well also to procure and distribute seeds, farming implements, specimens, samples, etc., which may have any relation whatever to the farming and mechanical interest of the country.

Disseminate information.

SEC. 18. *Be it further enacted*, That chapter 83 of An Act entitled "An Act to incorporate the Sevierville and Big Pigeon Railroad Company," passed March 6, 1868, be amended by inserting the names as Commissioners of Stewart Strickler, Lyman Strickler, Thomas Williams and William Martin.

Big Pigeon R. R. Co.

SEC. 19. *Be it further enacted*, That J. L. Devine, J.

W. James, G. S. Watkins, J. M. Dobbs, W. Crutchfield, T. K. Womouth, D. C. Trewhett, T. J. Lattier, F. Vaughn and Geo. L. Gillespie, and their associates, successors and assigns be, and they are hereby incorporated a body politic and corporate under the name and style of the Hamilton County Fair Ground Association, and shall have succession for thirty-three years; may sue and be sued, plead and be impleaded, have and use a common seal, and change the same at will; may purchase and own real estate, and dispose of the same at will and pleasure; may establish all rules and regulations necessary for their government; may establish a fair ground at such point in Hamilton county as they may select, and charge and collect such toll as may be deemed for the best interest of their association. The city of Chattanooga and county of Hamilton are hereby authorized and empowered to subscribe stock to the same, not to exceed five thousand dollars each.

Hamilton Co. Fair Ground Association.

Gen'l powers and privileg's

SEC. 20. *Be it further enacted*, That the capital stock of said association shall not exceed one hundred thousand dollars, and may be divided into shares of ($50) fifty dollars each.

Capital Stock

SEC. 21. *Be it further enacted*, That the formation of a company is hereby authorized, for the purpose of establishing a communication by railroad between the city of Metropolis, Illinois, and Union City, Tennessee, through the States of Kentucky and Tennessee, the Northern terminus to be on the southern bank of the Ohio River, at some point convenient to the city of Metropolis, until said Company shall have power and authority to make immediate connection therewith by the erection of a bridge across said river, which Company shall consist of the stockholders, and when formed shall be, and they are hereby constituted a body corporate by the name and style of the Metropolis and Union City Railroad Company, and by such name shall have and enjoy, possess and exercise, all the rights, powers and privileges and franchises, so far as the same are applicable, which the Henderson and Nashville Railroad Company have by the terms of an Act passed November 15, 1849, entitled An Act to amend and reenact an Act entitled "An Act to incorporate the Henderson and Nashville Railroad Company," passed by the Kentucky Legislature, and approved February 8, 1837, and be subject to the same liabilities and restrictions therein imposed; *Provided*, that the lands and right of way for the construction of said road required by the Company, shall not exceed fifty feet from the centre of the road on each side; *And provided further*, that each share shall entitle the owner thereof to one vote.

Metropolis and Union City R. R. Co.

Powers, privileges, etc.

Proviso.

Capital Stock

SEC. 22. *Be it further enacted*, That the capital stock of said Company shall be sixty thousand shares of twenty-five dollars each, and books for subscription of stock in said railroad shall be opened at such times and places, and kept open for such length of time in the States of Illinois, Kentucky and Tennessee, as may be designated by the following named Commissioners, or a majority of them: F. M. English, Woodfin Naylor, F. W. Matthews, G. W. Gibbs, A. H. Patton, W. D. Scates, W. J. Wilson, G. H. Cary, W. T. Osborne, G. M. Hatch, J. M. Coffins and G. S. Mills, who shall have power to appoint three or more persons in any of the towns or neighborhoods within the said States of Tennessee, Kentucky and Illinois, to open books and receive subscriptions.

Commissioners.

To open books

SEC. 23. *Be it further enacted*, That any three of the above named Commissioners, or of such persons as may be appointed by them for that purpose, shall at each place named and designated, open books and receive subscriptions during the time the said books are directed to be kept open, and on each share subscribed shall demand and receive the sum of fifty per cent., without which the subscription shall be void.

Mortgages.

SEC. 24. *Be it further enacted*, That said Commissioners, or any three of them, or of those appointed as above, shall have power to secure the payment of each share, by taking as collateral security a mortgage upon real estate, executed to them, or any three of them, as Trustees for the benefit of said Railroad Company, by each subscriber to the capital stock of said Company.

Comm'rs to manage affairs.

SEC. 25. *Be it further enacted*, That F. M. English, G. W. Gibbs, F. W. Matthews, A. H. Patton, Woodfin Naylor, W. D. Scates, G. H. Carey, W. J. Wilson, W. T. Osborne, G. N. Hatch, J. M. Coffins and G. Mills, or a majority of them be, and they are hereby constituted a Board of Commissioners to superintend and manage all the affairs of said Company until it shall be lawfully organized by the election of a Board of Directors, as prescribed by the charter of the Henderson and Nashville Railroad Company, so far as it may be applicable and not inconsistent with the provisions of this Act.

SEC. 26. *Be it further enacted*, That so soon as the above named Commissioners, or a majority of them, shall ascertain that four thousand shares of the capital stock of said Company have been subscribed, on each of which there shall have been paid the sum of fifty cents, the said Commissioners shall advertise the fact in

some newspaper in the town of Metropolis and Union City, and as soon thereafter as may be, shall call the subscribers together, at such time and place as may be designated by them, or a majority of them, at which time and place the said subscribers shall proceed to the election of a President and Board of Directors in accordance with the provisions of the charter of the Henderson and Nashville Railroad Company, and of this Act; and upon such election the Company shall be considered formally organized, and thenceforth the said subscribers shall form one body politic and corporate in deed and in law, and the Metropolis and Union City Railroad Company be fully organized in the States aforesaid for the purpose aforesaid.

Meeting for Election of officers.

Organization.

SEC. 27. *Be it further enacted*, That the Directors of the Metropolis and Union City Railroad, and the Directors of the Mississippi River Railroad may adopt such gauge for their respective roads, as shall conform to the gauge of railroads north of the Ohio River, so that freight and passengers may be transferred across the river without change of cars.

Guage of Road.

SEC. 28. *Be it further enacted*, That the Board of Mayor and Aldermen of the town of Paris, in Henry county, shall have full power and authority to compel all property holders in said town on sixty days' notice to construct side walks or pavements, in front of their property, on all the public streets in said town, the kind and description of said pavement or side walk to be designated in the notice, and upon failure to comply with the requirements of said Board, the Town Constable shall proceed to construct said pavements or side walks as indicated in the notice, and if not paid for in thirty days from the completion of the work, then it shall be the duty of the Town Constable, after giving notice at the Court House in the town of Paris, and leaving a copy with the owner of the property; or if the owner should reside without the corporate limits of said town, to deposit the same in the post-office at Paris to his address, to sell said property to the highest bidder for sufficient cash to discharge the cost of constructing said side walks or pavements, and the cost and expenses of the sale; and said property so sold, if not redeemed in accordance with the laws now in force and governing sales of real estate within this State, shall be deemed and held to be the property of the purchaser as in other cases.

Town of Paris Henry Co'ty, sidewalks, etc

Const'ble may sell property.

SEC. 29. *Be it further enacted*, That said Board of Mayor and Aldermen shall have full power and authority to open and grade all necessary new streets, to be

Board may open new Sts.

determined by said Board, and subject private property to the use of such new streets, upon payment to the owners of the same, at full and fair equivalent; the value of the same to be determined by three disinterested freeholders resident within and in said town of Paris, said freeholders to be appointed by the Judge or Chairman of the County Court of Henry county, and to be sworn by him before proceeding under said appointment, to act in their estimate and valuation without favor or partiality, said committee shall be under the same control of the said County Court as a jury of view in other cases.

Cemetery.

SEC. 30. *Be it further enacted*, That said Board of Mayor and Aldermen shall have full power and authority to purchase, hold, improve and keep in repair a public cemetery, in or near said town of Paris, and for those purposes they may levy a special tax on all property and privileges now taxable by the State of Tennessee, to be called the "Cemetery Tax;" *Provided*, said tax does not exceed the amount of the State tax on the same property and privileges.

Lots in same.

SEC. 31. *Be it further enacted*, That the said Board of Mayor and Aldermen shall have full power and authority to sell and convey lots in said public cemetery, and to employ and pay a Sexton to keep the same in repair.

Attorney to prosecute.

SEC. 32. *Be it further enacted*, That it shall be the duty of the District Attorney for the district in which said town is located, to prosecute said Board of Mayor and Aldermen for any failure to comply with the above amendments, the same to be done without a prosecutor.

Memphis and Vicksburg R. R. Co.

SEC. 33. *Be it further enacted*, That the formation of a Company for the purpose of constructing a railroad from the city of Memphis, in the State of Tennessee, to the city of Vicksburg, in the State of Mississippi, is hereby authorized, which, when formed shall be a body politic and corporate by the name and style of the Memphis and Vicksburg Railroad Company, and by such corporate name may sue and be sued in all courts of law and equity; may have and use a common seal, and exercise all the powers granted to railroads by the General Improvement Laws of the State.

Capital Stock

SEC. 34. *Be it further enacted*, That the capital stock of the Memphis and Vicksburg Railroad Company shall be five million dollars, divided in shares of one hundred dollars each, and that L. M. Walcott, A. H. Kerr, A. S. Mitchell, J. L. Alcorn, A. J. Kellar, James E. Merriman and J. M. Keating be appointed Commissioners to open books for the subscription of stock in said road at

such times and places as a majority of said Commissioners may direct, after having given such notice as they may deem proper, and to keep the same open until at least one hundred thousand dollars are subscribed; *Provided*, that any subscription, tendered at any time and place other than those advertised, may be received by said Commissioners or any one of them, and shall be as valid against the parties subscribing as if received at the time and place advertised. Comm'rs to open books.

SEC. 35. *Be it further enacted*, That when one thousand dollars of stock are subscribed in the said Railroad Company, the same may be permanently organized by the election of nine Directors, which number may be increased to thirteen when work on said road is commenced in the State of Mississippi. Organization.

SEC. 36. *Be it further enacted*, That the Memphis and Vicksburg Railroad Company shall be governed by the same rules in its organization and operations, and possess and enjoy the same rights, privileges and franchises in the construction of its main line of road, and such branches as its Directors may deem it expedient to build that are secured to the Mississippi Railroad Company by its original charter, passed January 29, 1858, and by the several Acts of the General Assembly of this State, amendatory thereof so far as the same are applicable, and the county of Shelby and city of Memphis shall have the same authority to subscribe stock or grant aid to the Memphis and Vicksburg Railroad Company that they may have to take stock in or grant aid to the Mississippi River Railroad Company and on the same conditions. How to be governed, rights, etc. Shelby Co'ty and City of Memphis.

SEC. 37. *Be it further enacted*, That the Memphis and Vicksburg Railroad Company may adopt such gauge for the same as shall conform to the gauge of any road with which they may wish to connect. Guage.

SEC. 38. *Be it further enacted*, That nothing in this Act shall be construed into the grant of any State aid to said Memphis and Vicksburg Railroad.

SEC. 39. *Be it further enacted*, That this Act be and the same is hereby revived, and that the style of said Railroad Company shall hereafter be known as the Memphis, Holly Springs, Okalona and Selma Railroad Company, and as many of the original corporators are now dead, that N. B. Forrest, James Elder, J. W. Clapps, S. M. Gates, James B. Molloy and Jesse W. Page, of the city of Memphis, in the State of Tennessee, and C. C. White, R. Remford, A. G. Withers, A. M. Clayton, J. W. C. Watson, John McQuirick, H. H. Walter, James H. R. Taylor, Henry E. Williamson, Charter of Memphis, Holly Springs and Mobile R. R., revived and amended.

Corporators.

Dwin Tyre, John B. Herring, R. H. Penson, Richard Bolten, George C. Reucan, F. Hodges, Jos. Britney, B. H. Shepard, Benj. Murray, J. J. Deavenport, James G. Randle, G. H. Sykes, W. A. Sykes, B. S. Hatch, B. R. Howard. B. M. Terrill, Josiah N. Walton, Columbus Love, W. S. Leon, E. Houston and L. B. Moore, all of the State of Mississippi, together with those who may hereafter become stockholders, their successors, etc., shall be said Corporators.

Time to construct.

SEC. 40. *Be it further enacted*, That said Company shall have sixteen years in which to construct said road, and shall commence the same in three years from and after the passage of this Act.

Subscriptions of stock.

SEC. 41. *Be it further enacted*, That it shall and may be lawful for the said Corporators to receive subscription in land, to the capital stock of said Company, anywhere in the State, said lands shall be estimated at their cash value by three disinterested persons, to be appointed by said Corporators or by the President and Directors of the Company for the purpose, and shall be taken by the road at said valuation; the said lands shall be conveyed to said road, with covenants of valid title, to be approved by the President and Directors; and the party making the subscription shall pay all the costs of valuation and conveyance, and for the amount of said land he shall be entitled to receive certificate of stock, as in other cases.

Labor.

SEC. 42. *Be it further enacted*, That it shall and may be lawful for the said Corporators or the President and Directors of the Company to receive subscriptions in labor to the capital stock of said Company upon such terms and conditions as may be agreed upon between the President and Directors of the Company and each subscriber.

Shelby Co'ty Comm'rs.

SEC. 43. *Be it further enacted*, That the Board of County Commissioners of Shelby county is hereby authorized and empowered to make such subscriptions to the capital stock of said Company as to the majority of the Board may seem proper, in such sum or sums and payable in such amounts and at such times as said Board of County Commissioners may approve; and said Board is further authorized to issue bonds on the faith of Shelby County in such sums as may be deemed best, and payable at such times (bearing not more than six per cent. interest per annum) as said Board may determine, and may sell said lands to pay the stock subscribed, or may transfer them on such terms as may be agreed upon with said Company, in payment of the stock subscribed; and said Board is hereby authorized and em-

May issue bonds.

powered to levy a tax upon the real estate and other property of Shelby County, to pay the interest accruing on said bonds, and to pay the bonds at maturity; *Provided*, that no subscription of capital stock to said Company by the Board of County Commissioners of Shelby County, shall be valid and binding unless they shall submit the question of subscription to the qualified electors of said county, by giving thirty days' notice of an election to be held for that purpose and the amount of stock proposed to be subscribed, and unless a majority of those voting shall vote in favor thereof. Levy tax, etc.

SEC. 44. *Be it further enacted*, That the Board of Mayor and Aldermen of the city of Memphis is hereby authorized and empowered to subscribe stock to said Company in such sums and upon such terms as they may deem proper; said Board of Mayor and Aldermen are hereby authorized and empowered to issue bonds and sell the same to raise the money to pay the stock subscribed, said bonds shall not bear more than six per cent. interest per annum, and shall not have more than twenty years to run, or said Board of Mayor and Aldermen may transfer the bonds on such terms as may be agreed upon with said Company in payment of the stock subscribed, and said Board of Mayor and Aldermen is hereby authorized and empowered to levy a tax upon the real estate and other property of the city of Memphis to pay the interest on said bonds and to pay the bonds at maturity; *Provided*, That no subscription of capital stock to said Company by the Board of Mayor and Aldermen of the city of Memphis shall be valid and binding, unless they shall submit the question of subscription to the qualified electors of the city by giving notice of an election to be held for that purpose, and the amount of stock to be subscribed, and unless a majority of those voting shall vote in favor thereof. Mayor and Aldermen of of Memphis. May issue bonds. Levy tax, etc.

SEC. 45. *Be it further enacted*, That said Company shall have the right to mortgage any of the franchises or property of the Company, or to sell the same to pay any loan of money or any evidences of debt due by said Company for the survey, construction or equipment of said road, or any other debt contracted to carry out the purposes of this Act. Mortgages.

SEC. 46. *Be it further enacted*, That said Company shall have the right and power to consolidate the stock and property with any other road or roads in or out of this State, at any time that the President and Direc- May consolidate roads.

tors may see proper to do so, and upon such terms as may be consistent with the laws and powers hereby conferred upon said Company, and that whenever such consolidation shall take place, the name and style of said Company shall be the Memphis and Selma Railroad Company.

Elmwood Cemetery exempt from tax

SEC. 47. *Be it further enacted*, That all lots and grounds held and owned by the Elmwood Cemetery at Memphis, and the lots and grounds of individuals or societies therein, and all implements or other property belonging to said cemetery; also, donations made to adorn, beautify or keep the same in repair, or the private lots therein, shall be exempt from taxation or assessment either State or local.

Louisville Branch Turnpike Co.

SEC. 48. *Be it further enacted*, That the charter of the Louisville Branch Turnpike Company be so amended as to allow said Company to locate and build their said road from the point of its intersection with the White's Creek Turnpike Company to the Suspension Bridge over Cumberland River at Nashville, upon the same terms and conditions for the construction of a roadbed, as is declared in their original charter.

Belle Buckle, Beech Grove and Dog Hollow Turn. Co.

SEC. 49. *Be it further enacted*, That a Company is hereby created to be called the Bell Buckle, Beech Grove and Dug Hollow Turnpike Company, with a capital of not exceeding twenty-five thousand dollars, in shares of twenty-five dollars, with power and authority to build a turnpike road from Bell Buckle in Bedford county, by way of Beech Grove, Coffee county, to the foot of Dug Hollow River.

Commissioners.

SEC. 50. *Be it further enacted*, That Robt. D. Blair, Robert D. Rankin, William B. Norville, Alfred D. Fugot, Isaac M. Miller, John Thomas, Hillary Moseley, Benjamin Beechwood, James F. Neill, Lilburn P. Fields, J. A. Garett, Alfred Jacobs, John McGill and Bird Messick, be appointed Commissioners, any three of whom may act, to open books for subscription of stock, at such times and places as they may designate, and when one thousand dollars are subscribed, they may

Organization, etc.

organize by the election of seven of the stockholders Directors, one of whom shall be chosen by said Directors President of said Company, at which election of Directors each share of stock shall be entitled to one vote.

Location.

SEC. 51. *Be it further enacted*, That said President and Directors shall locate said road from Bell Buckle, the nearest, cheapest, best and most practicable route by way of Beech Grove to the foot of Dug Hollow River.

SEC. 52. *Be it further enacted*, That said Company

shall build their road on the Shelbyville and Fairfield Turnpike Company, and to construct their road and be entitled to all the rights and privileges of said Shelbyville and Fairfield Turnpike Company, and be subject to the same liabilities, restrictions and exemption contained in their charter. Rights and privileges.

SEC. 53. *Be it further enacted*, That the charter of the Bedford County Agricultural Society be so amended as to authorize said society to have, own and hold, not exceeding fifteen acres of land, and that its capital be increased to not exceeding fifty thousand dollars. Bedford Co'ty Agr. Society.

SEC. 54. *Be it further enacted*, That this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 15, 1869.

CHAPTER XLVII.

AN ACT to Incorporate the Knoxville Marble and Mining Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Horace Foster, J. F. Spence, F. M. Halder, Wm. Hays, M. G. Thayer, W. C. Kinney, D. W. Peabody and Enos Hopkins, their associates and successors, are hereby created a body politic and corporate under the name and style of the Knoxville Marble and Mining Company, and by that name may sue and be sued, plead and be impleaded, appear, prosecute and defend in any court of law or equity in all suits and actions; may have a common seal, and alter and renew the same at pleasure, and enjoy all the privileges incident to corporations for thirty-three years. Corporators. Legal powers.

SEC. 2. *Be it further enacted*, That said corporation is hereby fully authorized and empowered to purchase, lease, hold, mortgage, transfer and convey any and all such lands containing marble quarries or mineral deposits, for the purpose of quarrying marble, and mining within the county of Knox, as said Company may deem to their interest, and do and perform any and all such other acts and things as may be necessary and expe- Purposes and rights.

pedient to prosecute successfully the business of said corporation.

Capital Stock

SEC. 3. *Be it further enacted*, That the capital stock of said Company shall be fifty thousand dollars, with the privilege of increasing the same, not to exceed five hundred thousand dollars, the same to be divided into shares of one hundred dollars each; that as soon as twenty thousand dollars of said capital stock be subscribed, said Company may commence active operations.

Directors and other officers.

SEC. 4. *Be it further enacted*, That the persons hereinbefore incorporated, or a majority of them, may organize said Company by electing a Board of Directors, with a President, Secretary, Treasurer and such other officers as may be necessary in successfully carrying on the business operations of the Company, and make by-laws, alter and amend the same at pleasure, for the government of the corporation as may seem meet and proper, not inconsistent with the laws of the United States, and of this State. Said Board of Directors and officers shall continue in office for one year. A majority of the Board of Directors shall constitute a quorum to do business and declare and pay dividends. The stockholders may vote at all elections in person or by proxy, each stockholder to have one vote on each share of stock actually paid in.

Election.

SEC. 5. *Be it further enacted*, That all future Boards of Directors shall be elected by the stockholders at their annual meeting, and each new Board of Directors shall be vested with like power and privileges as those granted to the original Board to elect officers, amend by-laws and declare dividends.

Office.

SEC. 6. *Be it further enacted*, That the principal office of the Company shall be located at Knoxville.

Clinton and Montgomery Turnpike Co.

SEC. 7. *Be it further enacted*, That Wm. A. Kobbee, of the city, county and State of New York; George W. Keith, of the county of Morgan; David K. Young, of the county of Anderson, their associates and successors in office be, and the same are hereby incorporated in the name of the Clinton and Montgomery Turnpike Company, and as such are to have existence and succession for a period of ninety-nine years; are to have a corporate seal, sue and be sued, plead and be impleaded, buy, mortgage and hold both real and personal property in as full and unrestricted a manner within the provisions of their corporation as a natural person might do, have or hold.

Purposes.

SEC. 8. *Be it further enacted*, That said Company shall be and have an existence for the purpose of constructing, running and keeping in repair a turnpike

road from the town of Clinton in the said county of Anderson, by way of the "old Oliver farm" and "Winter's Gap" to the town of Montgomery in the said county of Morgan.

SEC. 9. *Be it further enacted*, That the capital stock of said Company shall not exceed the sum of one hundred thousand dollars in shares of fifty dollars each; but no certificate of any stock will issue until the sum shall have been fully paid; in all questions before the Company, each share shall have one vote. Capital Stock

SEC. 10. *Be it further enacted*, That said road shall be graded as a turnpike at least twenty feet wide, and McAdamized with broken stone six inches deep in the centre for at least twelve feet, and as much wider than those dimensions as the said Company may direct. Character of road.

SEC. 11. *Be it further enacted*, That the said corporators be, and they are hereby constituted Commissioners, any one of whom may open books in their respective counties for subscription of capital stock in said Company, and as soon as a sufficient sum by which five miles of said road may be completed west from the town of Clinton, the work may be given out at that place and be finished by working at either end, or by sections of said road. May open books.

SEC. 12. *Be it further enacted*, That as soon as said Company shall have completed five miles of said road according to the requirements of the above charter, it shall be the duty of the Chairman of the County Court in the county in which said extension is locally situated to certify the same to the said Company, whereupon it shall be lawful for said Company to erect at one mile from the Court House of either of said towns a toll-gate, where tolls may be demanded and received as follows: For each man and horse, five cents; each one horse vehicle, fifteen cents; each two-horse vehicle, twenty-five cents; each three-horse vehicle, thirty cents; all other vehicles, forty cents. For each head of sheep or hogs, one-half of one cent; for each head of cattle, horses or mules, one cent; and upon the completion of said road according to the specifications in section 12, for the extension of five miles from any such gate duly certified as aforesaid, another toll-gate may be erected, where tolls as above provided may be demanded and received; *Provided always*, that as many but no more than seven of such gates shall be erected between the said termini of said road. May erect gate. Rates of To

SEC. 13. *Be it further enacted*, That for the purposes herein provided a full authority and license is hereby granted unto the said Company during the period of the

said incorporation to use, appropriate and occupy any
Public roads. of the public roads; *Provided*, they receive the consent of the County Court, and, if in the opinion of the said Company, it should become necessary for the location of said road to have and enjoy a right of way over private property; then it shall be lawful for said Company to appropriate so much lands as may be necessary
Lands, etc. for that purpose; and in the event the said Company and any landlord shall fail to agree upon the amount of damage done in that behalf, or upon the manner of paying the same, then the said damages shall be ascertained and provided for in like manner as between such landlord and railroad companies as now provided by law.

SEC. 14. *Be it further enacted*, That whoever shall travel said road to avoid or circumvent either of said
Avoiding gates. toll-gates, shall forfeit and pay the sum of one hundred dollars, one half to the use of said Company and the other half to the use of the person suing therefor.

SEC. 15. *Be it further enacted*, That in the event the work is not commenced upon said road in two years from the granting of this charter that all rights and im-
Exempt from toll. munities under the same are declared forfeited; *Provided, however*, that no resident shall be required to pay toll for passing to church, mill or a smith's shop.

SEC. 16. *Be it further enacted*, That the name of the
Lear's Sprin's Co Lear's Medical Springs Company is hereby changed to the name of the Lear's Springs Company.

SEC. 17. *Be it further enacted*, That the Act chartering the Wilkinson Turnpike Company, of Rutherford County, be so amended as to authorize the Stockholders
Wilkinson Turnpike Co. to elect the Directors of said Company on the third Monday of February, 1869, and thereafter hold their annual election for Directors on the third Monday of February of each year.

SEC. 18. *Be it further enacted*, That the 10th section of An Act passed December 6, 1867, incorporating the
Eagle Mining Co. Eagle Mining Company of Tennessee, be so amended as to strike out of said section the word "thirty," and insert therefor the word "ninety."

SEC. 19. *Be it further enacted*, That the 13th section of said Act be so amended as to strike out of said sec-
Same. tion the words "not over ten thousand acres;" also where the words "train road" occurs in said section, are hereby amended so as to read "tram road."

SEC. 20. *Be it further enacted*, That An Act passed December 5, 1825, incorporating the Parsons Turnpike
Parsons Turnpike Co. Company, in Blount County, be amended so as to make Boyd McMurry and C. C. Zachary additional corpora-

tors, and James S. Nelson and J. Sanders Commissioners of said Turnpike Company.

SEC. 21. *Be it further enacted*, That Josiah Bass, Wm. Fisher, David W. Hayes, Howard H., James and John Adams and others, and all who shall hereafter become members and officers of the Benevolent Association known by the name and style of the Young Men's Immaculate Association, in the city of Nashville and county of Davidson, and State of Tennessee, be and they are hereby constituted a body politic and corporate under the name and style aforesaid, with full powers in their said corporate capacity to sue and be sued, plead and be impleaded, and hold personal and real property, stock and incorporate hereditaments, and may dispose of the same in such manner as the said Association may deem most expedient. Young Men's Immaculate Association. Legal powers

SEC. 22. *Be it further enacted*, That the said Young Men's Immaculate Association may use a common seal and change the same at pleasure, and enact, from time to time, such by-laws and regulations as may be required for the good order and government of said society not inconsistent with the Constitution of the United States or the State of Tennessee, and do and perform all other acts for their benefit not inconsistent with the privileges herein granted. Privileges.

SEC. 23. *Be it further enacted*, That the charter of the Mineral Home Railroad Company be so amended as to authorize and empower the Stockholders of the Mineral Home Railroad Company to connect or to consolidate with the East Tennessee and Western North Carolina, beginning at Doe River Cove, in Carter County, running thence the most practicable route to Taylorsville, Johnson County; thence in the direction of Charlotte, the most practicable route to the North Carolina line. Mineral Home R. R. Co

SEC. 24. *Be it further enacted*, That the Stockholders of the Mineral Home Railroad Company be authorized and empowered to connect or consolidate with the Norfolk and Great Western Railroad charter passing through Johnson County by way of Taylorsville, to the East Tennessee and Virginia Railroad, at Bristol, or some point on said road west of Bristol. May consolidate.

SEC. 26. *Be it further enacted*, That such connection or consolidation with either road referred to shall not be made only by a two-third vote of the Mineral Home Railroad Company; *Provided*, That under this consolidation of the two roads, the Mineral Home Railroad and the branch road from Doe River Cove State aid.

via Taylorsville herein provided, said Company shall not be entitled to the usual State aid for more than one company.

Auburn Baptist Church.

SEC. 26. *Be it further enacted*, That James H. Byrns, Thomas B. Summers, Cantrell B. Odum and F. Odum, Deacon of the Auburn Baptist Church, Cannon County, Tennessee, and their successors in office be, and the same are hereby constituted a body politic and corporate, by the name of the Trustees of the Auburn Baptist Church.

Legal powers.

SEC. 27. *Be it further enacted*, That said body politic shall be able in law to sue and be sued, answer and be answered unto, defend and be defended, in all courts and places whatsoever, and also to receive and hold in trust for said church, and control as said church may by a majority of its members voting at its regular and stated meeting for the transaction of business direct any property said church may have acquired, or may hereafter acquire, either by purchase, donation, devise or gift.

Trustees, annual report etc.

SEC. 28. *Be it further enacted*, That said church shall, at her regular stated meeting for business in September annually, appoint five Trustees of the Auburn Academy, an institution belonging to and under the control of said church, which Board of Trustees shall have control of said Academy for the ensuing twelve months, and, in retiring from office in September, make a full report of the condition of said institution to the said Auburn Church. That Lemuel H. Bethel, Jesse Patey, John F. Treaden, Armsted Francis and John Newton McNight shall constitute said Board of Trustees for the ensuing session and until their successors in office shall have been appointed, as above provided, in September next.

Gordonsville and Lanc'ster Turnpike Co.

SEC. 29. *Be it further enacted*, That B. A. James, F. E. Buckner, J. S. McLane, H. P. Dowell, M. W. Lack, James Maners, John E. Clark, W. S. Patterson, R. A. Cochorahn, Thomas Lankerster, Bird Sexton, Mikeuel Lankerster and Robert Sadeler, or any three of them and their successors in office, be and they are hereby constituted a body politic and corporate under the name and style of the Gordonsville and Lancaster Turnpike Company, and shall be entitled to all the rights, privileges and immunities of the Carthage and Hartsville Turnpike Company, and all Acts amendatory thereto, and subject to all the rules and restrictions of the same.

SEC. 30. *Be it further enacted*, That the Gordonville and Lancaster Turnpike shall commence near Gordonville, Smith County, and run the most practicable route to Lancaster, in said county. Route.

SEC. 31. *Be it further enacted*, That Thomas Kelsy, Fray Pennington, J. W. Pennington, E. C. Voss, N. H. Schales, James Craig and John McAndly and their successors be and are hereby constituted a body politic and corporate by the name of the Henryville Academy, and by that name may sue and be sued, plead and be impleaded, and have and use a common seal. Henryville Academy.

SEC. 32. *Be it further enacted*, That the Board of Trustees of said corporation, shall consist of the seven persons above named; shall have power to fill its own vacancies, whether by death, resignation or otherwise; to acquire, hold and possess, by gift, grant, devise or purchase, all such estates real, personal or mixed, as may be necessary for said academy. Board of Trustees, etc.

SEC. 33. *Be it further enacted*, That said Trustees shall have power to appoint such teachers and officers as they may, from time to time see fit, and to remove the same; to fix the rates of tuition, and to have and exercise all the powers and privileges incident to corations of this description, with full power to appropriate or sell, any such estate as may have been acquired as above mentioned, if necessary so to do. Gen'l powers.

SEC. 34. *Be it further enacted*, That not less than five Trustees shall constitute a quorum to do business.

SEC. 35. *Be it further enacted*, That A. G. Stam, C. E. Douglass, O. D. Brazin, W. N. Baulch, Alfred Baulch, J. B. Baker, N. H. Stam, J. C. Rodewer, and their associates, successors and assigns, be, and they are hereby, constituted and appointed a body corporate and politic, by the name and style of the Douglass & Ridge Turnpike Company, of Sumner County; and by the same name and style shall have succession for twenty-five years, and shall sue and be sued, plead and be impleaded, in all courts of law and equity, and shall have and use a common seal, and change the same at pleasure. Douglass and Ridge Turnpike Co. Legal powers.

SEC. 36. *Be it further enacted*, That said road shall commence at the corporation limits of the town of Gallatin, in the county of Sumner, and run to the ridge upon the line of the old "Douglass" road; and no gate shall be established by said company for the collection of toll at a less distance than one mile from Route.

the limits of said corporation of Gallatin. Said Douglass & Ridge Turnpike Company shall have a capital stock of ten thousand dollars, in shares of one hundred dollars each, and shall have all the rights powers and privileges, subject to the same restrictions and liabilities, as the Red River Turnpike Company in said county.

Capital Stock etc.

SEC. 37. *Be it further enacted*, That Wm. A. Allison, James M. Mitchell, James W. Pickler, Jonathan Hall, John W. Phillips, L. S. Buttington, and N. A. Stamper, their associates, successors and assigns, be, and they are hereby, created and declared a body politic and corporate, under the name and style of the Humboldt Woolen Mills Company, and by said name and style shall have succession for the full term of ninety-nine years, and shall be capable in law to sue and be sued, to plead and be impleaded, answer and be answered unto, and prosecute to final judgment in all courts of law and equity; to make and use a common seal, and change the same at will; with full power to acquire property, real and personal, and convey the same at will, and all other powers proper and necessary for them to have in conducting their business in its several parts.

Humboldt Woolen Mills Co.

Legal powers.

SEC. 38. *Be it further enacted*, That the capital stock of said company shall be ten thousand dollars, which may be increased from time to time, by the Directors as they may deem advisable; *Provided*, said capital stock shall not exceed one hundred thousand dollars; said stock shall be divided into shares of twenty-five dollars each, and each share shall entitle its owner to one vote in elections for Directors, and in questions that may be submitted to the stockholders.

Capital Stock

SEC. 39. *Be it further enacted*, That the affairs of said company shall be managed by a Board of five Directors, who shall be elected by the stockholders at such times as they may determine, who shall hold their offices for one year, and until their successors are elected.

How managed

SEC. 40. *Be it further enacted*, That the Board of Directors shall elect out of their own number a President, and may appoint all other officers that they deem necessary to transact the business of the Company.

President, etc

SEC. 41. *Be it further enacted*, That the proviso to section 39 of an Act passed March 5, 1868, to incorporate the Tennessee and Pacific Railroad Company, and for other purposes be, and the same is hereby repealed.

Tenn. and Pac. R. R. Co.

SEC. 42. *Be it further enacted*, That An Act entitled "An Act to incorporate the Thompson Station and Bethesda Turnpike Company, and to incorporate the Franklin and Triune Turnpike Company," passed March 1, 1868, be, and the same is hereby renewed, and that said Companies respectively, shall have until the 25th December, 1869, to begin the construction of said roads, and shall finish the same according to the provisions and specifications of said Act within six years after the passage of this Act. Th. St. & Beth. Turn. Co. and Fran. & Tri. Turn. Co.

SEC. 43. *Be it further enacted*, That Samuel B. Lowe, of Chattanooga, Tennessee; Lafayette Falger, John Adams, Gus. A. Breaux, J. N. Blake, Oscar Bercin, Charles J. Leeds and L. F. Towers, of New Orleans, Louisiana, their successors and assigns are hereby created a corporation under the name and style of the Vulcan Works, for the purpose of the mining, production, manufacture, and sale of iron and coal, and of such other articles as in their production and manufacture iron, coal and wood, or either of them are used. And by said corporate name may have power to have succession for thirty-three years; to contract and be contracted with, to sue and be sued in all the courts of this State, to have and use a common seal, and the same to alter at pleasure. To hold, purchase, (or otherwise acquire) lease, mortgage, convey or otherwise dispose of real and personal estate to such an amount as the business of said corporation may require; to accept mortgages, liens and every other kind of security as prescribed, or to be prescribed by law, on real and personal property, or either, or choses in action as a means of securing the payment of any debts, money or other value, due or to become due, to said corporation; to execute mortgages or other incumbrances, and to create or grant any character or kind of lien as prescribed, or to be prescribed by liens on the real and personal property of said corporation as a security to any creditors of said corporation and secure the holders of its bonds; to issue the bonds of said corporation in sums of not less than one hundred dollars each, and in amounts not to exceed its capital stock. To lay out and construct such railroads, tram roads, tracks, wagon roads, or other means necessary for the transportation of the products and the business of said corporation; to connect with or intersect with or cross any railroad or railroads now or hereafter to be built terminating at Chattanooga, Tennessee; and also the Tennessee River in such manner and with such side tracks, switches, or other means as may be necessary for the business of said corporation; to erect ad- Vulcan Works. Legal rights. Property, etc. Bonds. Purposes and privileges.

jacent to any of said railroads or river, or elsewhere as may be required by the business of said corporation, such buildings, wharfs, machinery or other means as may be neccessary to the securing and transportation of the freights or the profitable management of the business of said corporation. To pass over any lands and condemn the same as now provided by law for similar corporations, whenever the said lands shall be required for the purposes and use of said corporation. To pass over any of the streets, alleys, avenues, town lots and lands in any city or town, provided they first receive the consent of said city or town, and condemn the same as now provided by law for corporations whenever the said streets, alleys and avenues, town lots and lands shall be required for the purposes and use of said corporation; *Provided*, that the right of way for any railroad, tram roads, tracks, wagon roads or other means built by said corporation under this charter, shall not exceed in width that now prescribed by law for similar roads and means; and if not now prescribed, then not to exceed such reasonable width or quantity as shall be required by said corporation; *And provided*, that in passing over any part of any city or town the right of way for said corporation shall not exceed in width or quantity of land used such an amount as shall be absolutely necessary for the business of said corporation, and for the profitable management of its business, and to have such other powers as may be necessary to carry on the business of said corporation; *Provided*, that nothing herein contained shall be construed as conferring the privilege of banking or granting the right to demand State aid.

Right of way, condemn'tion of lands, etc.

Proviso.

Same.

Capital Stock

SEC. 44. *Be it further enacted*, That the capital stock of said Company shall be three hundred thousand dollars, to be divided into shares of one hundred dollars each.

Places of Business.

SEC. 45. *Be it further enacted*, That the place of said corporation shall be at the city of Chattanooga in the county of Hamilton, State of Tennessee; *Provided*, that said corporation shall establish such office, branch office or offices in said State as its business may require.

How managed

SEC. 46. *Be it further enacted*, That the affairs and business of said corporation shall be conducted and managed by one person, to be styled Manager, who shall be elected by the stockholders as hereinafter provided.

SEC. 47. *Be it further enacted*, That all contracts and agreements entered into or authorized, and deeds or other

conveyances executed by the Manager shall be binding upon said corporation without the corporate seal, whenever the same are so entered into, authenticated or executed in the name of said corporation by said Manager, and in the business of said corporation. Contracts, etc

SEC. 48. *Be it further enacted*, That shares of the stock of said corporation shall be transferred on the books of said corporation, in such manner and form as shall be prescribed by the stockholders; *Provided*, that the stock book of said corporation shall be closed at least ten days before the times of each meeting of the stockholders, and not again so opened for the transfer of stock until after each of such meetings shall have adjourned *sine die*. Shares.

SEC. 49. *Be it further enacted*, That stockholders of said corporation shall be individually liable to its creditors for the amounts respectively subscribed by them for shares of stock, and not paid and no further; *Provided*, that after the sale of any of the shares of said stock the purchaser of any part paid shares shall be liable as the original subscriber was liable, and the original subscriber not liable for any debts of said corporation contracted after the sale of such paid shares. Liability of Stockholders.

SEC. 50. *Be it further enacted*, That the permission of the Legislature is hereby granted that said corporation may hereby avail itself of the benefits of section forty in the charter of the Nashville and Chattanooga Railroad Company, passed December 11, 1845, and section forty of the charter of the Memphis and Charleston Railroad Company, passed February the 2, 1846, and of any similar clause or clauses in the charter of the East Tennessee and Georgia Railroad Company, the Wills' Valley Railroad Company, and the Western and Atlantic Railroad Company. Benefits of certain Acts.

SEC. 51. *Be it further enacted*, That in all meetings of the stockholders of said corporation, the *bona fide* holders of the shares of the stock of said corporation shall be entitled to one vote for each share of full paid paid stock so held by them, and the *bona fide* holders of part paid shares of stock shall be entitled to one vote for each sum of one hundred dollars actually paid into said corporation in said part paid shares of stock; *Provided*, that the *bona fide* holders of said shares may vote in person or by proxy. Meetings, Voting, etc.

SEC. 52. *Be it further enacted*, That in all meetings of said stockholders a majority of the shares of said stock shall be necessary as a quorum for the transaction of any corporate business; *Provided*, that less than a Quorum.

majority may adjourn from day to day for the purpose of obtaining a quorum; *Provided*, that the number of shares necessary for a quorum shall be ascertained by adding to the shares of full paid stock such number of shares as would represent the part paid stock, estimating the part paid stock as is provided in section ten of this Act.

Proviso.

SEC. 53. *Be it further enacted*, That any one or more of said corporators may solicit and receive subscriptions for the shares of the stock of said corporation for the purpose of organizing the same under this charter. Each subscriber at the time of subscription shall pay to the corporator so soliciting and receiving such subscription the sum of one dollar for each and every share so subscribed by him, and the said corporator or corporators so soliciting and receiving subscriptions shall deposit to the credit of said corporation in some solvent bank in the city of Chattanooga; the money so paid to him or them by said subscriber or subscribers for stock and when one thousand shares of the stock of said corporation shall be subscribed and the money paid in as provided by this section each of said subscribers for the stock of said corporation shall be deemed a stockholder within the provisions of this Act.

Subscriptions

Bonus, etc.

SEC. 54. *Be it further enacted*, That as soon as one thousand shares of the stock of said corporation shall have been subscribed, as prescribed in the preceding section, the President, Cashier or other officer of said bank may appoint the time for the stockholders to meet in the city of Chattanooga, and give notice thereof by publication in some newspaper published in Chattanooga and New Orleans, Louisiana, for at least three weeks before the time of said meeting, at which time the said stockholders in person or by proxy shall proceed to elect by ballot the Manager of said corporation; *Provided* that the certificate of said bank or of its President, Cashier or other officer that said sum of money was so paid into said bank to the credit of said corporation, and that said notice was given as prescribed in this section, that said corporation was duly organized and this charter accepted by the same, shall be presumptive evidence of all the facts recited in said certificate; and provided that if necessary to obtain a quorum less than a majority of said stock may adjourn from day to day.

Stockholders' first meeting.

Proviso.

SEC. 55. *Be it further enacted*, That annual meetings of the stockholders of said corporation shall be held in the city of Chattanooga, Tennessee, on the first Monday in February in each and every year, and no notice to stockholders is required of the same. Special

Annual meetings.

meetings of said stockholders may be called by publication as prescribed in section 13, at any time by the Manager; but in the event that the Manager neglect or refuse so to do when requested by persons, *bona fide* holders of a majority of the shares of the stock, then persons holding one-fourth part of the shares of said stock may issue a call, and said meeting in either event shall be valid; *Provided*, that no failure to hold any regular or special meeting of said stockholders shall work a forfeiture of this charter; but in such event the Manager may hold over until the next regular or special meeting, and new notice may be given if necessary to call another special meeting. Special meetings.

SEC. 56. *Be it further enacted*, That at any regular or special meeting the stockholders of said corporation shall have power to elect a Manager, fix his compensation, remove him, require him to enter into bond and security for the honest and faithful discharge of his duties, and in such sum as they may deem necessary and proper: require him to make such reports, returns and exhibits of the business of said corporation, and to keep such books as they deem necessary to keep, to adopt a corporate seal and alter the same, to increase or diminish the capital stock of said corporation to not less than one thousand shares, and not more than three thousand shares, to fix the time at which and the installments in which the capital stock shall be called and paid in, to prescribe such forfeitures of shares or sales of the same as may be necessary in case of failure to pay the same, or any installment or installments due on the same. To issue bonds of said corporation in sums of one thousand dollars each to any amount not exceeding the capital stock actually paid in; *Provided*, that the books of said corporation shall be open at all times for the inspection of any stockholder; *And provided*, that no forfeitures of shares or sales of the same on account of a failure to pay installments due shall release any stockholder from liability to said corporation for the amount still unpaid on said shares; *And provided*, that said stockholders may adjourn from day to day, when necessary to complete the transaction of the business of said corporation; *Provided*, that the bonds of said corporation shall be issued only to the amount voted by said stockholders, and the same shall be signed by the Manager and attested by the corporate seal. Manager, compensation, etc. Gen'l powers. Forfeitures, etc.

SEC. 57. *Be it further enacted*, That the Manager, when elected, shall hold his office until the next regular or special meeting of the stockholders, and until his successor is elected and qualified, and the Manager

Manager's duties, powers, etc.

is hereby vested with all the powers of said corporation, except such as are hereinafter expressly vested in the stockholders; *Provided*, That in case of the death of the Manager, such other person may act as Manager until a new Manager is elected and qualified as may be designated by the stockholders, or if no one is designated by the stockholders, then the Secretary may appoint.

To organize.

SEC. 58. *Be it further enacted*, That said corporation may carry on business and have the full benefit of this charter as soon as the same shall be organized and this charter is accepted by a vote of a majority of the shares.

Charter to be amended by Legislature.

SEC. 59. *Be it further enacted*, That this charter shall be amended from time to time by the Legislature, whenever the *bona fide* holder of a majority of the shares of the stock of the said corporation shall petition for amendments, specifying in the petition the nature of the amendment desired, and whenever such amendments are adopted by the Legislature and submitted to a regular and special meeting of the stockholders, and accepted by a vote of two-thirds of the shares present at said meeting, they shall be obligatory upon the stockholders, and become a part of this charter, but not otherwise; and that all laws and parts of laws in conflict with this Act be, and the same are hereby repealed.

Memphis Fertilizer Manufacturing Co.

SEC. 60. *Be it further enacted*, That William S. Bruce, Wm. R. Moore, Richard G. Craig, Wm. B. Greenlaw, Moses J. Wicks, Wm. L. Vance, S. B. Beaumont, John Harbert, Henry Craft, Wm. R. Hunt, John Overton, Jr., John Joseph Williams, Eugene Magoveny, M. L. Raynaw and George W. Gift and their associates and successors be, and the same are hereby incorporated a body politic and corporate, under the name and style of the Memphis Fertilizer Manufacturing Company, to continue for a period of thirty-three years from the passage of this Act, and by that name shall be and are hereby empowered to make, manipulate, manufacture and sell all and every kind and description of land fertilizers, known to science or commerce now, or which may hereafter be known or invented, to take, receive, and hold all estates and property, real and personal, which may be granted, committed, transferred or conveyed to them with their consent, upon any trust or trusts whatever, and to ad-

Purposes, powers, etc.

minister, discharge and fulfill the duties of such trust, and make, execute and perfect such contracts, bargains, agreements and other instruments as shall or may be necessary, and as the nature of the case may require, to purchase, receive, hold, possess and enjoy to themselves and successors, lands, tenements, goods, chattels, stock, choses in action, real and personal estate of every description, and also, to sell, convey, grant alien, and dispose of the same, and generally do and perform all acts that may be necessary to carry out the objects and duties of the corporation. Purposes, etc.

SEC. 61. *Be it further enacted*, That the capital stock of said Company shall be not less than fifty thousand dollars, ($50,000,) and to be paid in under such rules and regulations as the Board of Directors may enact, but said stock may be increased from time to time, by a vote of a majority of the Board of Directors, not to exceed two hundred thousand dollars, and shall be divided into shares of one hundred dollars each, and each subscriber to said capital stock shall pay upon each share, he, she or they may subscribe, for the sum of at least thirty dollars, and more if the Commissioners or Directors shall so decide, and give a note or notes for the balance, to be approved by the Commissioners or Directors, which notes shall be payable within thirty days after a demand made by the Directors of said Company. Capital Stock Shares, etc.

SEC. 62. *Be it further enacted*, That the affairs of said Company shall be managed by a board of not less than seven nor more than nine Directors, the number to be determined by the Commissioners, who shall be chosen by ballot solely from among the stockholders, which choice shall be made by a majority of votes cast by stockholders present or by their proxies, and rated as hereinafter provided, and said Directors shall hold office for one year or until others are chosen in their place. The annual meeting for the election of Directors shall be holden on the first Wednesday of each month, in each year, as the Directors by the by-laws may enact. Directors' duties and powers.

SEC. 63. *Be it further enacted*, That the Directors shall determine how many of their number shall constitute a quorum for the transaction of business, and may fill any vacancy which may occur in their board between the annual meetings of the stockholders, by choosing a Director or Directors from among the stock- Quorum, etc.

holders, who shall continue in office until a successor or successors shall have been chosen, and the Directors shall elect one of their number to be President of said Company, and another of their number to be Vice President, who shall act instead of the President in his absence, and the said Directors shall have power to establish such agencies of the Company in this State and elsewhere, and appoint such secretaries, agencies, clerks and officers as they may deem necessary and convenient, and also to perform such other acts and exercise such other powers as they may deem expedient for the well ordering of the affairs of the said Company.

Agents and other officers.

SEC. 64. *Be it further enacted*, That the President shall have power at any time to call a special meeting of the stockholders, and it shall be his duty to call such meeting when thereto requested, by the holders of one-fourth of the stock, and public notice of such meeting at the request of said holders of one-fourth of the stock shall be given at least two weeks previous to the meeting.

Special meeting..

SEC. 65. *Be it further enacted*, That no transfer of stock shall be deemed valid and complete so long as the person or persons transferring the same shall be indebted to the said Company, or until the amount for which he, she, or they are so indebted, is secured to the satisfaction of the President and Directors thereof, and the stock of every stockholder in the same manner shall be held as collateral security for the payment of whatever sum he, she or they may be indebted by note or otherwise to said Company, and every subscriber to the capital stock who shall neglect to pay any installments called for by the President and Directors of said Company, or to secure to the satisfaction of the same the residue of each share by him, her or them subscribed or held, shall forfeit the same to the Company together with all payments made thereon, and all profits that may accrue thereon.

Transfer of Stock.

Forfeiture of Stock.

SEC. 66. *Be it further enacted*, That the persons named in the first section of this Act, or a majority of them, are hereby authorized as Commissioners, to call a meeting of the persons hereby incorporated, to be holden at such time as they may appoint, which meeting may be organized by a Moderator, when books may be opened and left open from day to day and time to time, for subscriptions to the capital stock of the

Comm'rs to call meeting, to open books and organize.

Company, and their meeting may be adjourned from time to time, until the Company shall be organized, and then their functions as Commissioners shall cease, provided that when five hundred shares of the capital stock shall have been subscribed, they may order an election for Directors by the stockholders; *And, provided further*, That if the other persons named in the first section of this Act should fail to assemble on a call made by the person first named in the same, he by himself or together with any other person so named, may proceed to open books of subscription and organize the Company the same as if all the Commissioners or a majority thereof were present. Failure to meet.

SEC. 67. *Be it further enacted*, That in the election of Directors of said Company, each share to the number of five shall be entitled to one vote, and every ten shares in addition shall entitle the holder to one additional vote; shares may be voted upon by the executors or administrators of estates of deceased persons or by proxy, and these rules shall apply to all voting by the stockholders. Voting.

SEC. 68. *Be it further enacted*, That the Directors of said Company shall annually or semi-annually declare and divide so much of the profits of the Company as shall to them appear advisable, first deducting all losses and expenses, and pay the said dividend to the respective stockholders or to their agents when duly empowered to receive the same. Dividends.

SEC. 69. *Be it further enacted*, That the said Company in their corporate name may sue and be sued, plead and be impleaded, answer and be answered, defend and be defended, in all courts in the State and elsewhere; may adopt and use a common seal, and the same break, alter or renew at pleasure. Legal powers

SEC. 70. *Be it further enacted*, That a bonus to the State of half of one per centum upon their capital stock be paid for the use of common schools in the State of Tennessee. Bonus.

SEC. 71. *Be it further enacted*, That for the purpose of establishing communication by railroad between Brownsville, Tennessee, via Chestnut Bluff and Dyersburg, Tennessee, or some suitable point where the said road shall intersect the Mississippi River Railroad in Dyer County, the formation of a Company is hereby authorized, which when formed, shall be a body corporate, by the name and style of the Brownsville Dyer County Railroad Co.

and Dyer County Railroad Company, and by said corporate name shall be capable in law to buy, receive by gift, hold, sell and convey real and personal estate as hereinafter provided, make contracts, sue and be sued, make by-laws, and to do all lawful acts incident to a corporation of the business for which it is incorporated, and to have and use a common seal, and the same to alter and destroy at its pleasure, and shall have perpetual succession members.

Legal powers.

Subscription books.

Where to be opened.

SEC. 72. *Be it further enacted*, That books of subscription of five hundred thousand ($500,000) dollars, the capital stock of said Company in shares of twenty-five ($25) dollars, each shall be opened on the first Monday in February, 1869, and shall be kept open for thirty days at the following places and by the following persons, to-wit: At Brownsville—Dr. R. W. Peacock, C. F. Read, Louis Bond, Philip Yancey, A. H. Bradford, Dr. James Haywood, J. D. Dance, B. J. Lea, J. L. Poston, W. B. Read, J. L. Winfield, Jr., W. B. Mann, A. W. Flemming, James Mann, H. Buck, J. W. Peebles, R. W. Leake. At Chestnut Bluff, Tennessee—Wm. C. Vail, J. M. Parker, G. W. Bettis, W. N. Beasley, J. H. Brooks, Dr. W. B. Gork, Capt. Wm. Foster. At Dyersburg—Jesse Clark, Alf. Stevens, Dr. R. H. McGaughy, J. L. Webb, C. C. Moss, W. T. Poston.

Comm'rs fee.

SEC. 73. *Be it further enacted*, That the said Commissioners of each of the places aforesaid shall receive subscriptions for stock in the said Railroad Company during the time the said books are ordered to be kept open, and for each share so subscribed shall demand and receive the sum of fifty cents.

To deposit money.

List.

SEC. 74. *Be it further enacted*, That as soon as the time for receiving subscriptions as aforesasd shall have expired the said Commissioners shall respectively deposit all the money so received by them in some incorporated bank to the credit of the Brownsville and Dyer County Railroad Company, and subject to the order of the President of the Board of Commissioners hereinafter appointed; and shall forward a correct list of all the subscribers to the said stock, with the number of shares each subscriber has taken to a Board of Commissioners to be composed of the following persons: Brownsville—W. W. Vaughn, Dr. J. R. Watkins, J. P. Wood, R. S. Thomas, J. M. Rutledge; Chestnut Bluff—Dr. J. A. Nunn, J. B. Parker;

Commissioners.

Dyersburg—S. R. Latta, Alfred Stephens, C. C. Moss, who may establish rules to govern their proceedings, choose their own President and appoint such officers or agents as they may think proper, and prescribe their duties, and who, or a majority of whom, shall meet at Brownsville on the second Monday in March next, ascertain the whole number of shares taken in said Company and publish the same in the papers printed at Brownsville and Dyersburg on or before the third Monday in March next. And if the sum of five hundred thousand ($500,000) dollars has been subscribed, on each share of which there shall have been paid the sum of fifty cents, the Brownsville and Dyer County Railroad Company shall be regarded as formed and thenceforth and from the day of the closing of the books of subscription as aforesaid, the said subscribers to the stock shall form a body politic and corporate indeed and in law by the name and for the purpose aforesaid, and in all things to be represented by the Board of Commissioners aforesaid until the election of a Board of Directors as hereinafter prescribed.

Duties and powers.

When formed.

SEC. 75. *Be it further enacted*, That if on closing the books aforesaid the sum of two hundred and fifty thousand dollars ($250,000) shall not have been subscribed, then and in that case the said Board of Commissioners by themselves or their agents may receive subscriptions till the said sum be taken, and whenever that sum shall be subscribed the Company shall be considered as formed, as having a corporate existence as aforesaid, and of which notice shall be given as hereinbefore directed, and may proceed to survey the route for the road and make an estimate of the cost of its construction, and the said Board of Commissioners may by themselves or their agents at such times and places as they may think proper, and upon such terms as to time and manner of payment as they may deem expedient; receive additional subscriptions until the said sum shall have been subscribed upon which the Company may be formed, and the subscribers shall thenceforth form a body corporate as aforesaid; *Provided*, the same shall be done on or before the first day of January, 1872, and for the residue of the original sum the said corporation when organized may in like manner receive additional subscriptions.

Same.

Survey, etc.

Proviso.

SEC. 76. *Be it further enacted*, That if on closing

Return of money.

the books finally the amount shall not have been subscribed the money paid by each subscriber shall be returned to him by the said Board of Commissioners after defraying the expenses up to date.

How managed Quorum, etc.

SEC. 77. *Be it further enacted*, That the affairs of said Company shall be managed by a Board of Directors, to consist of nine, five of whom shall constitute a quorum, and who shall be chosen by the stockholders from their own body, and a President of the Company shall be elected by the Directors from their own numbers in such manner as the regulations of the corporation shall prescribe.

Meeting to organize, elect officers, etc.

SEC. 78. *Be it further enacted*, That as soon as the said sum shall have been subscribed, it shall be the duty of the Commissioners appointed to declare the same, to appoint a time for the stockholders to meet in Brownsville, and give notice thereof by publication in some newspaper in Brownsville and Dyersburg, at which time the said stockholders in person or by proxy, shall proceed to elect the Directors of the Company, and to enact all such regulations, rules and by-laws as may be necessary for the government of the corporation and the transaction of its business. The persons elected Directors at this meeting shall serve for such period, not exceeding one year, as the stockholders may direct; and at this meeting the stockholders shall fix on the day and place or places when the subsequent election of Directors shall be held, and such elections shall thenceforth be annually made; but if the day of the annual election should pass without any election of Directors, the corporation shall not be thereby dissolved, but it shall be lawful on any other day to hold and make such elections in such manner as may be prescribed by a by-law of the corporation.

Annual meeting, etc.

Vacancies.

SEC. 79. *Be it further enacted*, That the Board of Directors may fill all vacancies which may occur in it during the period for which their Board shall have been elected, and in the absence of the President may fill his place by electing a President *pro tempore*.

Contracts, etc

SEC. 80. *Be it further enacted*, That all contracts and agreements authenticated by the President of the Board, shall be binding on the Company, without seal, or such other mode of authentication may be used as the Company by their by-laws may adopt.

SEC. 81. *Be it further enacted*, That the Board of

Directors shall not exceed in their contracts the amount of the capital stock of the corporation, and of the funds which the company may have borrowed and placed at the disposal of the Board; and in case they should do so, the President and Directors who may be present at the meeting at which such contract or contracts so exceeding the amount aforesaid shall be made shall be jointly and severally liable for the excess both to the contractor or contractors and the corporation; *Provided*, that any one may discharge himself from such liability by voting against such contract or contracts, and causing such vote to be recorded on the minutes of the Board, and giving notice thereof [at] the next general meeting of the stockholders.

Not to exceed amount of stock.

Liability.

SEC. 82. *Be it further enacted*, That the stock of said Company may be transferred in such manner and form as may be directed by the by-laws of said corporation.

Transfers.

SEC. 83. *Be it further enacted*, That the said Company may at any time increase its capital to a sum sufficient to complete the said road and stock it with every thing necessary to give it full operation and effect, either by opening books for more stock, or by selling such new stock, or on the mortgage of its road charter and works, and the manner in which the same shall be done in either case shall be prescribed by the stockholders at a general meeting, and any State, or any citizen, corporation or company of this or any other State or county may subscribe for and hold stock in said Company, with all the rights and subject to all the liabilities of any other stockholder.

May increase capital, etc.

SEC. 84. *Be it further enacted*, That the Board of Directors shall once in every year, at least make a full report on the state of the Company and its affairs to a general meeting of the stockholders, and oftener if directed by law, and shall have power to call a general meeting of the stockholders when the Board may direct expedient.

Annual report.

SEC. 85. *Be it further enacted*, That stockholders may vote in person or by proxy, and in the election of Directors and in voting on all questions which come before a meeting of the stockholders, or which may be submitted to the decision of the stockholders in any other manner, the owner of one or more shares shall be entitled to one vote for each and every share he, she or they may own as aforesaid.

Voting.

Lands, houses etc.

SEC. 86. *Be it further enacted*, That the said companies may purchase, have and hold, in fee or for a term of years any lands, tenements, or hereditaments which may be necessary for said road or appurtenances thereof; or for the erection of depositories, storehouses, houses for the officers, servants, or agents of said company, or for workshops or foundries, to be used for said company, or for procuring timber, stone, or other material necessary for the construction and maintenance of the road or its appurtenances, or for effecting transportation thereon.

Right of way.

SEC. 87. *Be it further enacted*, That the said company shall have the right, when necessary, to construct the said [road] or any branch thereof, across or along any public road or water course, provided that the said road and the navigation of such water course shall not thereby be obstructed; and provided further, that such Railroad shall not be located so near any turnpike road as to injure or prejudice the interests of the stockholders in such turnpike road, except upon such terms as may be agreed upon by the President and Directors of the same, on behalf of the stockholders.

Bridges, etc.

SEC. 88. *Be it further enacted*, That the said company may purchase, have and hold, any Bridge or Turnpike road over which it may be necessary to carry the said railroad; and when such purchase is made, to hold the said bridge or turnpike road on the same terms, and with all the rights which belong to the individual, individuals or corporation from which such purchase made be made; *Provided*, That the said companies shall not obstruct any public road without constructing another as convenient as may be.

Valuation of land taken.

SEC. 89. *Be it further enacted*, That when any lands or right of way may be signed by said company, for the purpose of constructing their road, and for want of agreement as to the value thereof, or from other cause, the same cannot be purchased from the owner or owners, the same may be taken at a valuation, to be made by five commissioners, or a majority of them to be appointed by the Circuit Court of the counties where some part of the land or right of way is situated; and the said Commissioners before they act, shall severally take an oath before some Justice of Peace faithfully and impartially to discharge the duty assigned them. In making the said valuation, the Commissioners shall take into consideration the loss or

damage which may occur to the owner or owners in consequence of the land being taken or the right of way surrendered, and, also the benefit and advantage he, she, or they may receive from the erection or establishment of the said road or works, and shall state particularly the nature and amount of each and the excess of loss and damage over and above the benefit and advantage; [which] shall form the measure of valuation of the said land or right of way. When there may be an appeal from the valuation of Commissioners by either of the parties, the same shall not prevent the works intended to be constructed, from proceeding. How made.

Sec. 90. *Be it further enacted*, That in the absence of any contract with the Company in relation to the lands through which the railroad may pass, signed by the owner thereof, or by his agent, or any claimant or person in possession thereof which may be confirmed by the owner, it shall be presumed that the land upon which the said road may be constructed, together with a space of one hundred feet on each side of the center of the said road has been granted to the Company, shall have good right and title thereto, and shall have, hold, and enjoy the same as long as the same be used only for the purpose of the road, and no longer, unless the person or persons owning the said land at the time that part of the road which may be on said land was finished, or those claiming under him, her, or them, shall apply for an assessment for the value of the lands as hereinbefore directed, within five years next after that part of said road was finished; and in case the owner or owners, or those claiming under him, her, or them, shall not apply for such assessment within five years next after the said part was finished, he, she, or they shall be forever barred from recovering the said land, or having any assessment or compensation therefor, provided nothing herein contained shall affect the right of *femes covert* or infants until two years after the removal of their respective disabilities. Title presumed. Barred in five years.

Sec. 91. *Be it further enacted*, That if any person shall intrude upon the said railroad or any part thereof by any manner of use thereof, of the rights and privileges connected therewith, without the permission or contrary to the will of said Company, he she, or they shall forthwith forfeit to the said Company, all the vehicles that may be so intruded on said Road, and the same be recovered by suit at law, and the person or Intrusion upon road.

persons so intruding may also be indicted for misdemeanor, and upon conviction fined and imprisoned by any Court of competent jurisdiction.

Damaging or obstructing road.

SEC. 92. *Be it further enacted*, That if any person shall willfully and maliciously destroy, or in any manner hurt, damage or obstruct the said railroad, or any bridge or vehicle used for or in the transportation therein, such person or persons so offending shall be liable to be indicted therefor, and on conviction shall be imprisoned not more than six nor less than one month, and pay a fine of not less than twenty dollars, and shall be further liable to pay all the expenses of repairing the same, and it shall not be competent for any person so offending against the provisions of this clause to defend him, her or themselves, by pleading or giving in evidence that he, she or they were the owner, agent or servant of the owner or owners of the land when such damages, injury or obstruction was done or caused at the time the same was caused or done.

Nuisance.

SEC. 93. *Be it further enacted*, That any obstruction to the safe and free passage of vehicles on said road shall be deemed a public nuisance, and may be abated as such by an officer, agent or servant of the Company, and the person causing such obstruction may be indicted and punished for creating a public nuisance.

Commission houses, storage, etc.

SEC. 94. *Be it further enacted*, That the said Company shall have the right to take at the store houses they may establish or annex to their road, all goods, wares, merchandise and produce intended for transportation, prescribe the rules of priority, and charge and receive such just and reasonable compensation for storage, as they by rule may establish, which they shall cause to be published, or as may be fixed by agreement with the owner, which may be distinct from the rates of transportation; *Provided*, That the said Company shall not charge or receive storage on goods, wares, merchandise or produce, which may be delivered to them at their regular depositories for immediate transportation, and which the Company may have the power of transporting immediately.

Dividends.

SEC. 95. *Be it further enacted*, That the profits of the Company, or so much thereof as the Board of Directors may deem advisable shall, when the affairs of the Company will permit, be semi-annually divided among the stockholders in proportion to the stock each may hold.

SEC. 96. *Be it further enacted*, That the said Company is hereby expressly prohibited from carrying on any banking operations, but may effect insurances on lives and property transported on the road. Banking.

SEC. 97. *Be it further enacted*, That whenever in the construction of said road, it shall be necessary to cross or intersect any established road or way, it shall be the duty of the Company to construct said road across such established road or way so as not to impede the passage or transportation of persons or property along the same, or when it shall be necessary to pass through the land of any person, it shall be their duty to provide for such person a proper wagon way or ways across said road, from any part of his land to the other. Not to impede public road.

SEC. 98. *Be it further enacted*, That the said Company shall possess such additional powers as may be convenient for the due and successful execution of the powers granted in this charter, and for the successful construction and management of the work. Gen'l powers.

SEC. 99. *Be it further enacted*, That this charter shall be amended from time to time by the Legislature, whenever the President and Directors shall petition for amendments, specifying in the petition the nature of such amendments, and when such amendments shall be adopted by the Legislature and submitted to the Directory, and be accepted and adopted by the President and Directors, they shall be obligatory on the stockholders and not otherwise. Legislature to amend charter.

SEC. 100. *Be it further enacted*, That if by decree or otherwise the said corporation shall be dissolved, the President and Directors of said Company are created Trustees, with such powers only as may be necessary to collect the debts due the Company, preserve the property, pay the debts, and distribute the property and effects of the Company to those who may be entitled thereto under the charter. Dissolution.

SEC. 101. *Be it further enacted*, That the railroad authorized by this Act shall be commenced within three years after the passage of this Act, and shall be finished within six years thereafter, otherwise the charter hereby granted shall be void; *Provided*, That no Company chartered under this Act shall be exempt from such taxes as the Legislature may from time to time impose upon similar incorporations. Time to commence.

SEC. 102. *Be it further enacted*, That the town lo-

Grand Junc'n changed to Ashland.

cated at the crossing of the Mississippi Central and Memphis and Charleston Railroad and Henderson County, known as Grand Junction, be changed to that of Ashland, and hereafter shall be so designated.

Memphis, election, etc.

SEC. 103. *Be it further enacted*, That it shall be lawful for the qualified citizens of Memphis to hold an election for County Commissioners and a Board of School Directors in March next, without having a ward registration, and the same shall be valid as though sixty days' notice had been given, and a ward registration had according to the law now in force.

Wade's Station R. R.

SEC. 104. *Be it further enacted*, That section 5, of An Act to charter a railroad from Wade's Station to Tennessee River, and for other purposes, passed March 12, 1868, be so amended as to allow the Company to use barges or other water crafts to facilitate in the loading or unloading of freights, goods, wares and merchandise, cotton and all other articles, said incorporated body shall be entitled to landing for the same.

Nash. Color'd Ben. Society.

SEC. 105. *Be it further enacted*, That section 2, of An Act passed March 14, 1868, to incorporate the Nashville Colored Benevolent Society, as to strike out the word "shall" in the second line of said section, and insert the word "may" in lieu thereof.

Western Extension R. R. Co.

SEC. 106. *Be it further enacted*, That John Welsh, Lawrence Bowers, Elbert S. Cox, Samuel Pierce, Tipton Jobe, Thomas Faw, Henry Johnson and Peter M. Reaves, and their associates be, and they are hereby constituted a body corporate, by the name and style of the Western Extension Railroad Company; may sue and be sued in their corporate name; shall have all the rights, privileges and immunities that were granted to the East Tennessee and Western North Carolina Railroad Company, by An Act passed May 24, 1866. The said railroad shall commence at or near Johnson Depot, in Washington County, Tennessee, and shall run in the direction of Moccasin Gap, Virginia, and shall pass via or near old Pack Tallos, in Sullivan County, the most practical route to be determined by a surveyor and Board of Directors.

Rights, privileges and immunities.

Route.

N. O., Mobile and Chatta'ga R. R. Co.

SEC. 107. *Be it further enacted*, That whereas the line of railroad of the New Orleans, Mobile and Chattanooga Railroad Company as intended to be constructed, will extend through several States, it is hereby declared, that the cars and engines, and all personal property which said Company may acquire shall,

for all mortgage purposes, be deemed part of the realty, and be apportioned according to the number of miles of railroad constructed and owned by the Company in each State, so that the number of cars and engines, and amount of personal property, which shall be deemed to belong to the portion of the Company's railroad constructed and lying within the limits of either of said States, shall at all times bear the same proportion to the whole number of cars and engines, and whole amount of personal property owned by the Company, which the number of miles of railroad of the Company constructed and lying within such State shall bear to the aggregate number of miles of the railroad of the Company constructed in all of said States.

Realty, property in different States.

SEC. 108. *Be it further enacted*, That Letty Crocker, John Rushing, J. G. Crocker, Wm. Bartlet, J. E. Tatty, Wyatt Arnold, Owen Hawley, W. A. Steel, W. A. Hudson, R. P. Hawley, W. F. Dorethy, and their associates, successors and assigns be constituted a body corporate and politic, with succession for thirty years, under the name and style of the Benton Manufacturing Company, with a capital of not less than ten thousand dollars, with all the powers and privileges, and under all the restrictions as granted to other similar corporations; and that this Act take effect from and after its passage.

Benton Manufacturing Co

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed February 15, 1869.

CHAPTER XLVIII.

AN ACT to Incorporate the Union Bank of Knoxville, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That James Ross, Jno. S. Ross, George W. Ross, Daniel A. Carpenter, William Morrow, and David K. Young, and their associates and successors be, and they are hereby created a body politic and

Corporators.

corporate by the name and style of the Union Bank of Knoxville, and by that name shall have succession, sue and be sued, plead and be impleaded, and generally to do every act and thing necessary to carry out the provisions of this Act, and to promote the object and design of this corporation.

Legal rights.

SEC. 2. *Be it further enacted*, That the capital stock of said Company shall be divided into shares of fifty dollars each, and when two hundred shares shall have been subscribed, and the sum of five dollars per share paid thereon, the stockholders may meet and elect five Directors, who shall be elected and enter upon the discharge of their duties, and said Directors shall elect one of their number to be President during their term of office.

Capital Stock meeting, etc.

SEC. 3. *Be it further enacted*, That said President and Directors shall and may adopt and use a common seal and alter the same at pleasure; may make and adopt proper and necessary by-laws for their government; may appoint all necessary officers and agents, fix their compensation and take bond and security for the faithful discharge of their duties. They may prescribe the manner of paying in the stock and of the transfer thereof; said institution shall have a lien on the stock for debts due it by the stockholders before and in preference to other creditors, except the State and county for taxes, and shall pay to the State such tax as may be imposed on similar institutions by the Legislature.

Gen'l powers, lien, etc.

SEC. 4. *Be it further enacted*, That said institution may discount notes, may buy and sell stock, deal in exchange, gold and silver bullion; may purchase and hold real and personal property, and sell the same. It may receive general or special deposits, and allow such interest as may be agreed upon, not exceeding that allowed by law, and twice per year declare and pay to the stockholders a dividend of profits. But said institution is hereby expressly prohibited from issuing notes, certificates or other paper for the purpose of being used as a circulating medium.

Business privileges.

SEC. 5. *Be it further enacted*, That the name of the Montgomery Savings Institution, located at Clarksville, Tennessee, incorporated by an Act of this General Assembly, passed on the 17th day of December, 1867, be, and the same is hereby changed to "The Bank of Clarksville.

B'k of Clarksville.

SEC. 6. *Be it further enacted*, That John Murphy, Pleasant Smith and such others as may become associated with them, under the name and style of the Lookout Bank of Morristown, shall be entitled to all the

Lookout Bank of Morristo'n.

benefits bestowed by this Act on the Union Bank of Knoxville, and be subject to the same penalties and liabilities.

SEC. 7. *Be it further enacted*, That this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed February 19, 1869.

CHAPTER XLIX.

AN ACT to Incorporate the Soldiers' and Sailors' Bank of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Wm. B. Davis, Geo. E. Graham, George R. Mitchell, A. J. Livesay, Henry Taylor, Joseph W. Baker, Jesse P. Nichols and L. M. Jarvis, and their associates and successors be, and they are hereby created a body politic and corporate by the name and style of the Soldiers' and Sailors' Bank of Tennessee, and by that name shall have succession for the term of twenty-five years, sue and be sued, plead and be impleaded, and generally do every act and thing necessary to carry out the provisions of this act, and to promote the objects and designs of this corporation. The incorporators, their associates and successors shall have all the rights and privileges extended to the Bank of City Savings Institution by act of the General Assembly of the State of Tennessee, passed May 24, 1866, and shall not commence the business of Banking in any respect until the sum of Five Thousand Dollars ($5,000) be paid into said bank as an actual capital stock. Corporators. Legal rights, powers and privileges.

SEC. 2 *Be it further enacted*, That this Bank be located at Knoxville.

SEC. 3. *Be it further enacted*, That John E. Carpenter, Clay Newland, J. P. Johnston, A. B. Newkirk, Charles W. Johnston and such others as they may associate with them, their successors or assigns are hereby constituted a body politic and incorporate under the name and style of the American Loan In-

stitution. Said corporation shall be vested with all the rights, privileges and immunities, and subject to all the penalties of sections 10, 11, 12, 13 and 14 of An Act entitled An Act to charter a Bank of Discount and Deposit at Bristol, Tennessee, passed January 12, 1869, and said American Loan Institution to be located at Memphis, Tennessee.

SEC. 4. *Be it further enacted*, That John Smith, William Albright, Frank Hyberger and all who may hereafter become associated with them, their successors and assigns be, and they are hereby constituted a body, corporate and politic, by the name and style of the Memphis Bank of Discount and Deposit, and shall have succession and a common seal for the period of twenty years, may sue and be sued, plead and be impleaded, and have and possess all powers incident to corporations and necessary and proper to carry on the business of, and effect the objects contemplated by this charter.

Memphis B'k of Discount and Deposit.

SEC. 5. *Be it further enacted*, That the capital stock shall not exceed two hundred thousand dollars, to be divided into shares of one hundred dollars each, and transferable on the books as the by-laws may prescribe.

Capital Stock

SEC. 6. *Be it further enacted*, That said corporation may deal in Gold and Silver coin and bullion, public and private securities, buy and sell any description of negotiable paper, buy and sell exchange, current and uncurrent bank bills, borrow and loan money and currency, discount notes and other evidences of debt, receive and keep deposits upon such terms as may be agreed upon by the parties; shall take mortgage liens on all species of property, both real and personal, as sureties for moneys loaned.

Business privileges.

SEC. 7. *Be it further enacted*, That said Corporation shall not pass out for circulation, currency which is or may be forbidden by law to circulate within the State.

Currency.

SEC. 8. *Be it further enacted*, That said corporation may transact its business through such officers or agents as it may choose to appoint.

Agents.

SEC. 9. *Be it further enacted*, That W. J. Smith, Edward Lee, J. D. Slack, Edward Thompson and Thomas Foley and their successors shall have all the powers, privileges and be subject to all the penalties, under the name of the Cosmopolitan Bank and Loan

Cosmopolitan B'k and Loan Association.

Association, granted in sections 10, 11, 12, 13 and 14 in An Act to charter a Bank of Discount at Bristol, Tennessee.

SEC. 10. *Be it further enacted*, That there shall be established in the city of Nashville a bank to be called the City Deposit Bank of Nashville, the capital stock of which shall be One Hundred Thousand Dollars, which may be increased to Two Hundred Thousand Dollars, at the discretion of a majority of the stockholders, to be divided into shares of fifty dollars each; and books of subscription thereof shall be opened on the 1st day of April, 1869, at the Banking House of the Bank of Nashville, under the superintendance of the following named persons, any three of whom may be sufficient to attend to the duties of their appointments, and shall keep the books open for the subscription of stock not less than five business days, unless the stock should be taken in less time. The names of Commissioners as follows: George C. Allen, Jno. J. McCann, D. D. Dickey, H. C. French, H. G. Scovel, Henry Hart, F. H. French, W. W. Totten, Archer Cheatham, N. Hobson, J. W. Hoyte, H. T. Yeatman, Robt. Gardner, J. F. Wheeless, Wm. Stockell, Jno. White, Frank Greene and Jno. Terrass.

City Deposit Bank of Nashville.

To open books

Commiss'ers.

SEC. 11. *Be it further enacted*, That the said bank may commence the business of banking as soon as the amount of capital stock is subscribed for, and one-fourth of the amount paid to the Commissioners in the lawful currency of the United States, at the discretion of the Commissioners. The residue of said capital stock shall be called in by the President and Directors hereafter provided for, at their discretion.

To commence business.

SEC. 12. *Be it further enacted*, That the subscribers to said bank, their successors and assigns, shall be, and they are hereby created a body corporate and politic in law and in fact, by the name and style of the City Deposit Bank of Nashville, and shall so continue until the first day of January, 1890, and no longer, and by the name and style aforesaid, they are hereby made capable in law of sueing and being sued, plead and be impleaded, answer and be answered unto, defend and be defended in any and all courts of record, or any other place whatever, and may also make and have a common seal, and to make and establish such by-laws as may be necessary and convenient for the government of said bank.

Time to run.

Legal powers

SEC. 13. *Be it further enacted*, That for the due administration of said bank, there shall be five Directors,

citizens of the State of Tennessee, and stockholders of said bank, who shall be elected annually at the banking house in Nashville on the first Monday in April of each year by the stockholders, and the Directors at their first meeting shall elect one of their own body President of said Bank; a failure to elect Directors at the time appointed will not be a forfeiture of the chartered rights of the bank, as the previous Board will be considered Directors until their successors are elected and qualified according to law, or any regulation established as by-laws of the bank.

Directors, election, etc.

SEC. 14. *Be it further enacted*, That the Directors for the time being shall have power to appoint such officers, clerks and servants under them as may be necessary for conducting the business of said corporation, and to allow them such compensation as may be deemed reasonable.

Powers of Directors.

SEC. 15. *Be it further enacted*, That said bank shall be strictly a bank of discount and deposit, and shall not be permitted to issue bank notes, bills of credit, checks, or certificates of deposit, with the intention of using the same as circulation or in lieu of bank notes; but nothing to be so construed in this section to prevent any future Legislature, if deemed expedient, to so amend the charter as to allow the said bank the right to issue bank notes for circulation, with proper restrictions.

Business, etc

SEC. 16. *Be it further enacted*, That no Director shall be entitled to any emolument, unless it shall be allowed by the Board of Directors for some specific duty or business referred to him as such Director to adjust and settle, and in all such cases the Board of Directors shall fix the sum to be paid to such Director, and in absence of the President of the bank, the Board may appoint a President, *pro tem*.

Emoluments, fees, etc.

SEC. 17. *Be it further enacted*, That the Board of Directors may exact from the Cashier and other officers and servants of the bank a bond and security for the faithful performance of duty and services to the said bank, and the said officers and servants shall hold their respective offices until their successors are appointed, unless previously discharged for dereliction of duty or incompetency, and no Director or stockholder shall be entitled to any greater privileges in the way of discounts or loans on account of his or her stock, than any of the regular customers of the bank.

Officers to give bond and security.

SEC. 18. *Be it further enacted*, That the Bank of Nashville, now doing business in Nashville under what is called the Free Banking Law, may become part and

B'k of Nashv'e may unite.

parcel of the "City Deposit Bank of Nashville," upon such terms and conditions as the owners of said Bank of Nashville and the stockholders of the City Deposit Bank of Nashville may agree upon; and upon such an agreement, after the City Deposit Bank of Nashville have commenced its business, the business of the Bank of Nashville, with all its rights and privileges be closed and discontinued, and shall be subject to such tax and requirements as the Legislature may from time to time impose, and shall have succession twenty-five years. Taxes and succession.

SEC. 19. *Be it further enacted*, That this Act shall not be construed to exempt any incorporation therein contained from the usual taxation on such privileges as are or may be prescribed by the Revenue Laws of the State. Same.

SEC. 20. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed February 19, 1869.

CHAPTER L.

AN ACT to Relieve the Lessees of the Penitentiary from their Contract of Lease.

WHEREAS, The following proposition has been made to the Joint Select Committee of the Legislature, to surrender and give up the Lease of the Penitentiary, to-wit: Preamble.

Messrs. Waters, Wisener and Hacker, *Committee.*

GENTLEMEN: We propose to cancel the present and existing lease of your property, upon the following terms: Your honorable body to pass a bill, to take effect on the first day of July, 1869, and the Legislature or Governor, or your Directors, to appoint an appraiser, and we to appoint one, and the two so selected to appoint a third, all to be practical and competent men. The three so selected to make a full and complete inventory of all the machinery, tools, fixtures, materials, unfinished work of all and every kind, all the furniture of the offices, wagons and stock used in the management of said prison, and fix the value of the same, Proposition of Ward & Briggs

and return the same to the Comptroller, who shall issue his warrant on the Treasurer for same, and upon payment of same, Ward & Briggs agree to turn over to the Agent of the State everything so appraised, and give up full and peaceable possession of the prison and shops, fixtures and everything so appraised and sold; to make such a law binding, Ward & Briggs agree to file with the Secretary of State their written consent to a law passed in accordance with the foregoing within five days after its passage.

WARD & BRIGGS.

January 8, 1869.

Therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That said proposition be, and the same is hereby accepted, and that the Governor and Secretary of State and Comptroller be, and they are hereby authorized to appoint the appraiser therein provided for.

Accepted.

SEC. 2. *Be it further enacted,* That the Comptroller issue a warrant for the amount of inventory when made and filed with him as provided for in said proposition, and the first section of this Act, upon the Treasurer of the State, who will pay the same out of any money in the Treasury not otherwise appropriated.

Comptroller to issue warrant.

SEC. 3. *Be it further enacted,* That upon the conditions aforesaid being performed and complied with, the lease of the Penitentiary labor to Hyatt & Briggs, or Ward & Briggs be, and the same is hereby declared to be cancelled, and both parties released from the same.

Released.

SEC. 4. *Be it further enacted,* That this Act shall not be so construed as to release the said Ward & Briggs of any indebtedness to the State contracted previous to the passage of this Act.

Previous indebtedness.

SEC. 5. *Be it further enacted,* That should the arbitrators appointed under House Joint Resolution of the Legislature, to settle all matters of litigations between the State of Tennessee and the lessees of the labor of the convicts of the Penitentiary, award damages in favor of the State the amount thus awarded shall be deducted from the appraisment of the property of the lessees herein ordered; and should they award damages in favor of the lessees, that it be added to the appraisement and paid as the appraisement is to be paid.

Arbitration, damages, etc.

SEC. 6. *Be it further enacted*, That this Act take effect from and after its passage, and the inventory hereinbefore provided for, to be taken of the stock, machinery, fixtures, materials, unfinished work, tools on hand, on the first day of July next.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed February 19, 1869.

CHAPTER LI.

AN ACT to Incorporate the Tennessee Manufacturing Company and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That there be, and is hereby created, a body politic and corporate, to be known in law as the Tennessee Manufacturing Company, to have succession and a corporate existence for the term of ninety-nine (99) years, with the power and authority of contracting and being contracted with, sueing and being sued, of pleading and being impleaded, and to be endowed with all the right, privileges and immunities appertaining to other incorporations granted by the State, provided, however, that none of the powers hereby granted shall be so construed as to authorize the issuance of notes for circulation, or in any wise engaging in the business of banking. Legal powers, etc.

SEC. 2. *Be it further enacted*, That the capital stock of said company shall be One Million Dollars, divided into shares of one hundred dollars each, the same to be considered in law as personal property, to be transferable on the books of the Company, and then only when the shareholder shall not be indebted to it for unpaid calls or installments or otherwise, unless it be with the consent of the Company had through its Directory. Capital Stock

SEC. 3. *Be it further enacted*, That the following persons, viz: S. D. Morgan, Jas. M. Hamilton, A. G. Adams, Byrd Douglass, R. H. Gardner, T. A. Atchison, Geo. Thompson, John M. Hill, A. F. Goff, A. V. S. Lindsley, J. W. Wilson, C. K. Winston, A. H. Commiss'ers.

Hicks, Samuel Pritchett, B. S. Rhea, B. R. McKennie, K. J. Morris, A. S. Colyar, D. F. Carter, J. M. Bass, Thos. Harding, J. W. Allen, Felix Demorille, M. Burns, Jno. Kirkman, Wm. Nichol, Sr.; Andrew Hamilton, Thos Farrell, J. H. Buddeke, Samuel Watkins, J. Bloomstein, Jas. H. Hendrick, T. M. Buck. N. McClure, W. W. Berry, F. N. Cheatham, Jas. Whitworth, John M. Lea, W. A. Cheatham, John H. Williams, W. R. Elliston, Abram Demoss, R. C. McNairy, Hugh Douglass, W. H. Evans, F. Furman, J. L. Yaryan, Henry Yeatman, Daniel Hillman, J. Sax, Matt McClung, A. G. Sanford, Jessie Warren, W. Simmons, Anson Nelson, W. D. Talbot and J. E. Manlove or any three or more of them may act as Commissioners for receiving subscriptions to the stock of said Company, either by opening books publicly, or otherwise, to regulate and fix the amount of the first installment to be paid on the same, the remaining calls or installments to be made by the Directory hereinafter provided for, and to do all other acts essential to the organization of the Company.

Commiss'ers.

To receive subscriptions

Sec. 4. *Be it further enacted*, That the said Company shall have the right of engaging and employing its capital and credit in any industrial, mechanical or manufacturing pursuit it may deem advisable, to purchase, rent, lease, receive in gift or hold security for debts due it, or to become due it, such real, personal or mixed estate as it may deem expedient for conducting its operations, and to erect buildings and other necessary or useful appendages, create, maintain and operate motive power, the same to use for its own purposes, or to sell, rent, lease or dispose of otherwise at its pleasure.

Business privileges.

Sec. 5. *Be it further enacted*, That when the amount required to make its organization legal, and which shall not be less than Fifty Thousand Dollars, is subscribed for, the shareholders, may elect or appoint a Board of Directors, to consist of not less than three nor more than nine from their own body, the number thus to be elected or appointed to be decided on at the meeting held by the stockholders to organize the Company; in all elections held by the shareholders, the rate of voting shall be one for each share, provided, however, that no stockholder shall vote either in person or by proxy, who is in arrears in payment of any installment due on his or her stock, and that in case of

Election of Directors.

Voting.

default in payment of any calls made said default continuing for the term of three months or more, the amount previously paid on such stock may be declared by the Directory as forfeited to the Company, or it may be sued for and recovered, as any other debts may be. Stock forfe'd.

SEC. 6. *Be it further enacted*, That the Board of Directors shall appoint one of its own body as President, who, with the concurrence of a majority of the Directors, may appoint all other officers, agents and servants of the Company, and may also make such by-laws as are necessary, as well as to establish or adopt a corporate seal, the same altering or changing, at its pleasure. President and other officers.

SEC. 7. *Be it further enacted*, That the Pulaski Manufacturing Company be, and the same is hereby incorporated and to be known as the Pulaski Manufacturing Company, with all the privileges, rights and immunities granted to the Tennessee Manufacturing Company. Pulaski Manufacturing Co

SEC. 8. *Be it further enacted*, That Nicholas C. Buford, John L. Brandon, Sam'l Orr, A. J. McKimmin, Charles C. Abernathy, John C. Brown, James McCollum, A. M. Carter, W. F. Ballentine and J. P. May, be, and the same are hereby appointed Commissioners to receive subscriptions to the capital stock of said Pulaski Manufacturing Company, and to perform all other acts allowed to the Commissioners of the Tennessee Manufacturing Company. Commissioners.

SEC. 9. *Be it further enacted*, That J. O. Shackleford, W. T. Shackleford, Dorsey B. Thomas, J. T. Winfrey, Bushrod Johnson, Edward Saunders and S. H. Kennedy, are hereby made Commissioners for raising subscriptions for the capital stock of a Company to be known as the Bark Extracting Company, which said Commissioners and said Company, when organized, shall have all the rights, powers and privileges and immunities given and bestowed on the Tennessee Montgomery Company herein described and set forth, and they may organize under the same rules prescribed for said Company, and with all the powers vested in said Company. Bark Extracting Company.

SEC. 10. *Be it further enacted*, That there is hereby chartered and made a body politic or corporation, to be known in law as the Sparta Mills Company, with all the rights, privileges and immunities hereby granted to the Tennessee Manufacturing Company, and that Robt. H. Gardner, J. W. Manier, W. H. Evans, Dr. Tho. Snodgrass, Gen'l G. G. Dibrell, Sam'l D. Morgan, Thos. Sparta Mills Company.

W. Evans and Hugh Douglass are made Commissioners for organizing the said Company.

Sevier Bank, etc.

SEC. 11. *Be it further enacted*, That an Act passed January 12, 1869, chartering a bank of discount and deposit at Bristol, Tennessee, be so amended as to locate the Sevier Bank at Chattanooga, Tennessee, and the name of W. J. Pollard be stricken out [as] one of the incorporators.

Lookout Water Company.

SEC. 12. *Be it further enacted*, That George H. Hazelhurst, —— Ketchum, A. M. Johnson, Thos. Webster and J. W. James, and their associates and successors be, and they are hereby incorated a body corporate and politic, under the name and style of the Lookout Water Company, with all the rights, powers and privileges granted to, and subject to all the rules, restrictions and penalties imposed upon the Chattanooga Water Company by Act of the General Assembly of the State of Tennessee, entitled "An Act to incorporate the Carthage Bridge Company," and for other purposes, passed March 11, 1868, chapter 91.

Home Savings Ba'k of Memphis.

SEC. 13. *Be it further enacted*, That Wm. E. Green, W. W. Colman, Sam'l H. Jones, Frank Pope, and their associates, successors and assigns be, and they are hereby created a body politic and corporate under the name and style of the Home Savings Bank of Memphis, at Memphis, Tennessee, with all the rights, benefits and privileges, and subject to the same liabilities and restrictions contained in the charter creating the Tennessee Savings Institution, passed May the 9th, 1866.

Gallatin Br'h Turnpike Co.

SEC. 14. *Be it further enacted*, That Wm. Dodd, J. C. Rodemer, T. McKinley and others, their associates, successors and assigns be, and they are hereby constituted and appointed a body politic and corporate by the name and style of the Gallatin Branch Turnpike Company, for the purpose of building a turnpike road from Gallatin in the county of Sumner *via* the Ridge, to the Kentucky State line, and by the same name shall sue and be sued, plead and be impleaded in all courts of law or equity, and shall have and use a common seal and change the same at pleasure.

Rights, powers and privileges.

SEC. 15. *Be it further enacted*, That all the rights, powers, privileges and immunities, subject to the same restrictions and liabilities as provided for in the Act incorporating the Gallatin and Cumberland Turnpike Company, and amendments thereto, be and the same are hereby extended and given to the said Gallatin Branch Turnpike Company, and said Company may purchase the road-bed of the Gallatin and Ridge road, or locate a new one as they may deem best; *Provided*,

no State aid shall be granted said Turnpike Company. This Act to take effect from and after it passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 19, 1869.

CHAPTER LII.

AN ACT to Repeal Section Nine of Chapter 113 of An Act entitled "An Act to Incorporate Nashville and Edgefield Street Railroad Company," which Ninth Section is Amendatory of Section 41 of An Act passed May 14, 1866, entitled 'An Act to Establish a Metropolitan Police District, and to provide for the government thereof, and for other purposes.'

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section nine of chapter one hundred and thirteen of An Act entitled "An Act to incorporate the Nashville and Edgefield Street Railroad Company," which ninth section is amendatory of section forty-one of An Act to establish a Metropolitan Police District and to provide for the government thereof, be and the said ninth section is hereby repealed.

SEC. 2. *Be it further enacted*, That the office of Clerical Commissioner and Financial Commissioner, as the same appears in section seventh of said Act of May 14, 1866, be and the same are hereby abolished and declared vacant as far as the same applies to the city of Nashville, and that all the duties hereafter imposed upon said Commissioners by said Act of May 14, 1866, shall, in all respects, be performed by the Superintending Commissioner of the Metropolitan Police for the city of Nashville so far as the same may be necessary; *Provided, however*, that said Commissioners' salary, as now allowed by law, shall, in no respects, be increased by virtue of the performance of any said duties.

Clerical and Fin'l Com'ers of Nashville abolished.

SEC. 3. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 20, 1869.

CHAPTER LIII.

AN ACT to Incorporate the Chattanooga and Cincinnati Railroad Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That meetings of stockholders and the Board of Directors may be held, and all other corporate Acts may be done without the limits of this State, and there shall be no restriction upon the citizenship or domicil of the Directors, officers or stockholders of the Company, and the Company receive, exercise, and enjoy any corporate rights, franchises and privileges which are or may be granted by other States, or which it may acquire therein. The capital stock of this corporation may be five millions of dollars, in shares of one hundred dollars each, with the privilege of increasing the same if found necessary or expedient for its construction or further management, and the same may be disposed of in such manner as the interests of the Company require, and the Company shall have power and authority to issue and sell their bonds in such forms, at such times and rates, and to such amounts, and payable at such times and places, with interest, not to exceed ten per cent. per annum on the par value thereof, payable semi-annually as they think proper, and they may secure the same by mortgages or deeds of trusts upon said railroad, franchises, rights and privileges, and every and all other property of the corporation, with authority in the Trustees to make absolute sale of the same for breach of condition, and the purchaser at such sale shall be entitled to all the franchises, rights and privileges of the charter of this corporation, and subject to its obligations and restrictions. This corporation is hereby authorized and empowered to sell and transfer all its franchises, rights, privileges, powers, railroad and any or all other property to any other railroad comporation, and also to buy any other railroad with its franchises, rights, privileges and powers, whether such railroad corporation, buying or selling, shall be within or without this State, and this corporation shall also have power to consolidate with any other railroad corporation within or out of the State of Tennessee, and in all such cases the new corporation existing after or formed by such purchase, sale or consolidation, shall

Meetings, etc. out of State.

Capital Stock.

May issue bonds.

Buy, sell, or consolidate.

have possession, and enjoy all the powers, franchises, rights and privileges, held, possessed or enjoyed by, or granted to or vested in each and all of the companies so bought, sold or consolidated, whether granted by this State or any other State, or by the United States, and shall take and assume such corporate name as may be agreed on; *Provided, however*, That nothing in this Act or the original charter shall prevent the Company making at any time any reasonable change in the location of the line of their road from Chattanooga to the State Line of Kentucky by the way of or near Montgomery, Morgan County; *Provided further*, That no consolidation shall entitle said Company so consolidated to State aid, to a greater amount than that allowed to one of said roads.

Rights, privileges, etc.

Change line.

SEC. 2. *Be it further enacted*, That the subscribers of the [stock,] as herein prescribed, for the purpose of establishing a railroad communication between Gallatin and Hartsville, Sumner County, are hereby created a body politic and corporate, by the name and style of the Gallatin and Hartsville Railroad Company, and by the said corporate name shall have the capacity to buy, receive by gift, sell and convey real and personal estate, make contracts, sue and be sued, make by-laws, and do all other acts properly incident to a corporation, and necessary and proper to the transaction of the business for which it is incorporated, and to have and use a common seal, and the same to alter and destroy at pleasure, and have perpetual succession of members.

Gallatin & Hartsville Railroad Co.

Legal powers.

SEC. 3. *Be it further enacted*, That J. C. Rodemer, Maj. W. J. Mundy, A. Bennett, Esq., Judge J. F. Lauck, Wm. Dodd, Col. A. R. Wynne, E. S. Payne, S. W. Lesuer, James A. Andrews, E. T. Seay, Capt. F. H. Duffy, H. C. Ellis, and H. McNeely, are hereby appointed commissioners, to cause books to be opened by themselves or whomsoever they or a majority of them may choose, at Gallatin, Hartsville, Louisville, and such other place as they may select for subscriptions for stock in said Company, provide for surveying and locating said road, and estimating the probable cost of its construction, and manage and control the affairs of the Company until the election of a President and Board of Directors.

Comm'rs to open books.

Locate road, etc.

SEC. 4. *Be it further enacted*, That upon the application in writing of any three of the foregoing Com-

missioners to the County Court of Sumner County, it shall be the duty of said court to submit to the legal voters of the county the proposition whether the county will take stock in said road or not, and in the application for said vote, the Commissioner shall state the amount of stock proposed to be subscribed.

Sumner Co. to take stock.

Sec. 1145, Code.

SEC. 5. *Be it further enacted*, That section 1145 of the Code is so far modified as to only require the Commissioners to determine the termini of the road, and that it lie wholly in the county of Sumner to entitle them to make the application authorized in section 1144.

SEC. 6. *Be it further enacted*, That if the proposition to tax the county to build said road be sustained by the legal voters, the bonds of the county shall be issued to the amount of the stocks voted, and to dispose of as provided in the 14th section of An Act to incorporate the Nashville, Franklin and Columbia Railroad Company, passed February 28, 1852, and the 18th section of said Act is also adopted as a part of this Act.

Disposition of bonds.

SEC. 7. *Be it further enacted*, That when $50,000 of stock has been subscribed, said Company may organize and elect a Board of Directors, who may elect a President from their number, who, when elected, shall be President of the Board and of the road; but no person shall be President or Director unless he own stock in said road. The organization and election shall be effected in the same manner as prescribed in the charter of the Louisville and Nashville Railroad Company.

Organization.

SEC. 8. *Be it further enacted*, That said Company, when organized, shall have the same rights and franchises, and be subject to the same rules, as to the assessment of damages, for the use or appropriation of lands over which their road may run, or which may be adjacent thereto, as the Louisville and Nashville Railroad Company now have.

Rights and liabilities.

SEC. 9. *Be it further enacted*, That the capital stock of said Company shall consist of $500,000, divided into shares of twenty-five dollars each.

Capital Stock

SEC. 10. *Be it further enacted*, That said Company may construct their road adjacent to or parallel with any turnpike road, and shall not be liable to any turnpike company for so constructing their road for damages.

Public road.

SEC. 11. *Be it further enacted*, That in letting out contracts for grading said road or any part thereof, and for building bridges and trestle work, etc., stockholders shall have the preference; *Provided*, they will do the

Stockholders to have preference.

work upon as favorable terms as those who are not stockholders.

SEC. 12. *Be it further enacted*, That the said Company shall have five years in which to complete said road.

SEC. 13. *Be it further enacted*, That Hon. A. V. S. Lindsley, Dr. A. Bryan, William Waters, Joseph P. Moxley, John R. Doak, P. L. Henderson, P. W. Harris, James A. Williams, Wm. Arbuckle, E. S. Smith, Jos. C. Williams, Edmund Gillem, William Gillem, Thomas Phillips and H. C. Moore be appointed Commissioners, any five of whom may act to open books for subscription of stock at such places and times as they may deem proper, to build a turnpike road from Fall Creek, near Cainsville, to intersect with the Lebanon and Sparta Turnpike Road, near and west of Spring Creek, in the county of Wilson; and when a sufficient amount of stock is subscribed in shares of fifty dollars each, and payable either in money or labor, as may be agreed upon, to build three miles from either end of said road, a meeting of stockholders shall be called on ten days' notice, at such time and place as may suit the stockholders, at which meeting five Directors of their number shall be elected, of whom said Board shall elect one to act as President, and said President and Directors, and their successors in office, shall be and are hereby constituted a body politic and corporate by the name and style of the Lebanon and Cainsville Turnpike Company, and shall so continue, with all the rights and privileges, and immunities of bodies corporate, and subject to the same restrictions; shall have the same privileges in using building material, erecting gates, tolls, etc., as are conferred on the Lebanon and Sparta Turnpike Company. They shall build a good and substantial second class turnpike road, with bridges and culverts, where the same are necessary for the ease and safety of the traveling community.

Lebanon and Cainsville Turnpike Co.

Route of road

Organization.

Privileges and purposes.

SEC. 14. *Be it further enacted*, That James M. Cason, Green B. Hudson, A. P. McAdo, H. C. Williams, John L. Huddleston, William Baird and W. M. Sellers be appointed Commissioners to raise subscription of stock for the Las Casas and Fall Creek Turnpike Company, with all the rights, privileges and restrictions contained in the preceding section of this Act.

LasCasas and Fall Creek Turnpike Co.

SEC. 15. *Be it further enacted*, That section 15, chapter 23 of An Act to amend An Act entitled "An Act to incorporate the Tennessee and Pacific Railroad Company, passed May 24, 1866, and for other purposes," be so amended as to read "Murfreesboro, Las Casas, Mil-

Same.

ton and Liberty Turnpike Road," instead of "Murfreesboro and Liberty Turnpike Road," as now printed.

SEC. 16. *Be it further enacted*, That D. W. C. Senter and George Graham be added as additional Commissioners to the New Market, Mouth of Buffalo and Rutledge Turnpike Company.

SEC. 17. *Be it further enacted*, That Samuel Black and John McDowell and their associates, successors and assigns be and they are hereby created a body corporate by the name and style of the Allen's Ferry Turnpike Company, with authority to build a road, commencing near Mrs. Beckworth's, about two miles west of Smithville, on the Lebanon and Sparta Turnpike Road, in De Kalb County, crossing Caney Fork River at Allen's Ferry, in said county, and intersecting with and terminating on the Smithville and Sparta Turnpike Road, near what is known as the "peeled chestnut," near the county line of said county. Said Allen's Ferry Turnpike to have all the powers, rights, privileges and immunities, and be subject to all the penalties that are contained in the charter of the Ammon L. Davis Turnpike Road, running through Smithville, De Kalb County, crossing Caney Fork River at Sligo.

Allen's Ferry Turnpike Co.

Route.

Powers and privileges.

SEC. 18. *Be it further enacted*, That John Bowles, M. Stromier, Reason Ogletree, Gus. Bowman and James A. Cope, of the county of Overton; W. B. Roddy, John P. Murray, S. M. Plumlee and John Wright, of the county of Jackson; E. W. Turner, W. B. Pickering and Thos. Waters, of the county of Smith; and Wm. Dodd, James F. Lauck, J. C. Rodemer, T. McKinley, H. Fitzgerald, W. S. Mundy and H. M. Neely, of the county of Sumner, and their associates and successors in office, be, and they are hereby constituted and appointed a body politic and corporate by the name and style of the Gallatin Branch of the South-western Railroad Company for the purpose of building a railroad from Gallatin *via* Hartsville, in the county of Sumner, running through the counties of Smith and Jackson or Putnam, to a point at or near Livingston in the county of Overton, and connecting with the South-western Railroad Company at or near said place, and by the same name shall have perpetual succession; shall sue and be sued, plead and be impleaded in all courts of law and equity, and shall have and use a common seal and change the same at pleasure.

Gallatin Br'h of South-Western Railroad

Route, etc.

SEC. 19. *Be it further enacted*, That all powers, privileges and immunities, subject to the same restrictions and liabilities as provided for in all Acts or amendments, thereto incorporating or in anywise pertaining to

Powers and privileges.

the South-western Railroad Company be, and the same is hereby extended, and given to the said Gallatin Branch of the South-western Railroad Company; *Provided*, that nothing herein contained shall be so construed as to furnish State aid to said Gallatin Branch of the South-western Railroad Company.

Wilkerson Turnpike Co.

SEC. 20. *Be it further enacted*, That the stockholders of the Wilkerson Turnpike Company be authorized and required to hold their annual election for Directors on the third Monday in February, 1869, and all laws in conflict with this Act be, and they are hereby repealed.

Telegraph Companies.

SEC. 21. *Be it further enacted*, That each Telegraph Company incorporated or unincorporated, working a line of Telegraph in this State must, under a penalty of five hundred dollars for refusal so to do, transmit over its wires to localties on its line for any other Telegraph Company such messages, dispatches or correspondence as may be tendered by it, and all such messages, dispatches or correspondence must be transmitted by the Telegraph Company to whom they may be offered for the Telegraph Company offering them for the price customarily asked and obtained for the transmission of similar messages, dispatches or correspondence and in the same manner and with as little delay as if they were offered by the writer or maker thereof; and when any Telegraph Company incorporated or unincorporated, working a Telegraph line in this State, shall refuse to transmit for another Telegraph Company messages, dispatches or correspondence at its usual price, after that price shall have been tendered to its authorized agent, or shall knowingly or wilfully delay their transmission, or charge for any additional date construed by them to be necessary because of their transfer from the lines and office of one Telegraph Company to those of another, then shall the Telegraph Company so refusing, delaying, or making charge for additional date be liable to a penalty of five hundred dollars for each and every non-compliance with the provisions of this section of this Act; said penalty to be recoverable in any court through proper form of law, one half of which shall go to the prosecutor and one half to the State.

Penalty for refusing to transmit messages.

Bona fide signatures to messages.

SEC. 22. *Be it further enacted*, That no Telegraph Company doing business in this State shall in any case transmit any description of message over their wires without the *bona fide* signature of the author of the telegram; any violation of the provisions of this Act shall subject the Company or corporation so offending to a forfeiture of five hundred dollars for every offence, to be collected as other fines are collected in this State.

that proposes to connect with the Pacific Railroad, now in contemplation at Cumberland Gap, or some other practicable point.

Va. & Tenn. Railroad Co.

SEC. 34. *Be it further enacted*, That the Virginia and Tennessee Railroad Company shall have all the rights and benefits of the aforesaid charter, upon the receipt of the above mentioned Charter.

Knoxv. & Taz. Turnpike Co.

SEC. 35. *Be it further enacted*, That the Knoxville and Tazewell Turnpike have all the rights and privileges of the New Market, Mouth of Buffalo and Rutledge Turnpike Companies; *Provided*, no State aid is hereby granted.

Eliz., Blount. & R'dy Creek Turnpike Co.

SEC. 36. *Be it further enacted*, That A. S. Wilson, Jno. Welsh, Jno. Anderson, of the County of Sullivan, and H. C. Smith, C. P. Toncray and A. P. Hart, of the county of Carter, be, and they are hereby declared a body corporate and politic by the name of the Elizabethton, Blountville and Ready Creek Turnpike Company, and shall exist as a body corporate and politic, for ninety-nine years; shall have a common seal, which they may alter or change at pleasure.

Route of road

SEC. 37. *Be it further enacted*, That said company is hereby authorized and empowered to build a Mud Turnpike, beginning at Elizabethton, running thence by the most practicable way through Union and Blountville to Ready Creek, in Sullivan County, Tennessee, near the Virginia line, and shall have six years to complete the same, from and after the 1st day of August, 1869.

Meeting to organize.

SEC. 38. *Be it further enacted*, That said incorporation aforesaid, shall meet on or before the 1st day of May, 1869, and select one of the number as a President, Secretary and Treasurer, and establish rules and regulations not inconsistent with the laws of this State, or the United States for their government.

To open books

Permanent officers.

SEC. 39. *Be it further enacted*, That after their organization, they shall open books of subscription for the reception of shares of $25 each, and when the number of shares to the amount of 200 is subscribed, said stockholders, together with said incorporators, shall meet in the town of Elizabethton, after twenty days' notice has been given by the Secretary of the Board, for the purpose of electing a permanent Board of Directors and officers for said road, who shall proceed to build said road; said stock so subscribed, may be paid in labor, or otherwise as the Company may direct.

SEC. 40. *Be it further enacted*, That when said road is complete and finished, the said company is authorized and directed to erect Toll Gates and Bridges upon said road, and charge the same toll as is allowed other companies in the State of a similar character. Toll-gates.

SEC. 41. *Be it further enacted*, That nothing contained in this Act shall be construed to give State aid to any railroad or other company, not heretofore entitled to the same; and that this Act take effect from and after its passage. State aid.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 26, 1869.

CHAPTER LIV.

AN ACT to Incorporate the Tennessee Agricultural and Mechanical Association.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Thomas B. Johnson, R. H. Gardner, B. F. Cockrill, Doct. Robert C. Foster, Tolbert A. Fanning, Wm. R. Elliston, James M. Hamilton, David H. McGavock, A. F. Goff, Dr. W. A. Cheatham, Robert Thompson, Jno. H. Williams, J. Adam Payne, A. G. Adams, and Wm. Stockell, and their associates and successors, are hereby constituted a body corporate by the name and style of the Tennessee Agricultural and Mechanical Association, for the purpose of promoting improvements in the various departments of agriculture, including, not only the staples of industry and trade, but also fruits, vegetables, and ornamental gardning; the promotion of the mechanic arts in all their various branches; the improvement of the race of all useful and domestic animals; the general advancement of rural economy and household manufactures, and the dissemination of useful knowledge upon these subjects. Corporators. Purposes.

SEC. 2. *Be it further enacted*, That the corporation hereby created, may have a common seal and change the same at pleasure; may, by their corporate

name sue and be sued, may contract and be contracted with, and may be capable of acquiring by purchase or otherwise, any quantity of lands not exceeding two hundred acres, and may improve the same or any part thereof, at pleasure; and may acquire, hold, and dispose of such personal estate as the President and Directors of said association may deem necessary and proper, and may, in their corporate name, do any and every other act not inconsistent with the Constitution and laws of this State, which, in the opinion of the President and Directors of the company will contribute to advance the objects of said Association.

Powers and privileges.

SEC. 3. *Be it further enacted*, That the individuals named in the first section, shall constitute the first Board of Directors of said company. They shall hold their office until their successors shall be elected and qualified. They, and their successors shall have power to cause books to be opened for the subscription of stock in said company, at such time and places, and in such manner, as they may think best, and may cause the same to be closed and re-opened when they may deem proper.

First Board of Directors.

SEC. 4. *Be it further enacted*, That the President and Directors aforesaid, and their successors, shall have the control and management of the official and other concerns of said association, together with all its estate of every kind. They may appoint a Treasurer and Secretary, and such other officers as may be deemed necessary to carry out the purpose of the association, and they may require any of the officers to give bond with good security, for the faithful discharge of the duties of the office. They shall have power to form such constitution and by-laws, and make such regulations, not inconsistent with the Constitution and laws of this State, as may in their opinion contribute to the good order and management of said association, and may from time to time modify and repeal the same at pleasure. They may, by any by-law passed by a majority of the Board of Directors, determine the number of Directors that shall constitute the Board.

Their duties, powers, and privileges.

SEC. 5. *Be it further enacted*, That any five Directors together with the President, shall constitute a quorum for the transaction of business, unless the association shall fix on and require a different number.

Quorum.

SEC. 6. *Be it further enacted*, That as said associ-

ation is conducive to the public good, and deserves the fostering care of the State, the real estate purchased or that may hereafter be purchased by the said association, for the purposes herein designated, is hereby exempted from the payment of taxes for thirty-three years. Exempt from Taxes.

SEC. 7. *Be it further enacted*, That L. W. Knight, Thos. J. Elane, Wm. R. Butler, John S. Gooch, Thos. B. Darraugh, J. D. Richardson, Nat. Gooch, Robert Lytle, J. R. Dillon, Hickman Weakley, Leo Pierce, H. H. Norman, Jno. Todd, Jesse W. Sparks, B. D Fletcher, and D. H. C. Spence, and their associates, successors and assigns, be, and the same are hereby, constituted a body politic and corporate, by the name and style of the Rutherford County Agricultural and Mechanical Association, of Murfreesboro, Rutherford County, Tennessee, (but a majority of the stockholders may change the name in their discretion) and by that name and style shall have succession for ninety-nine years; with power to contract and be contracted with, to sue and be sued, have a common seal, to make and establish rules, regulations and by-laws, for the government of said company. Rutherfo'dCo. Agr. & Mech'l Association.

SEC. 8. *Be it further enacted*, That the capital stock of said company shall be ten thousand dollars, with the privilege of increasing the same to one hundred thousand dollars, to be divided into shares of twenty-five dollars each, and when the sum of ten thousand dollars shall have been subscribed on the books of said company, the stockholders may elect and confirm their officers. Capital Stock

SEC. 9. *Be it further enacted*, That the permanent officers of said association shall hold their offices for the term of twelve months; shall be elected by the stockholders, and shall consist of a President, three Vice Presidents, a Secretary, a Treasurer, and ten (10) Directors; the number of Directors to be reduced at the discretion of the stockholders, and all vacancies occasioned, shall be filled for the remainder of the year by the acting Directors, three of whom shall be a quorum in all cases. The said Board of Directors shall establish or change any by-laws for the government of said association, not inconsistent with the Constitution of the United States, and laws of the State of Tennessee. Officers. Duties and powers.

SEC. 10. *Be it further enacted*, That the said com-

pany, shall have full power to purchase, hold or dispose of real estate, or lease lands to erect buildings; to appoint subordinate officers, committees, judges, &c., and shall have full power to make awards of premiums; to appoint all necessary police and peace officers during the session of their Fair, who shall, when duly appointed, have and exercise in full, the duties and powers and authority of the Sheriff of the County, so far as keeping the peace, &c.; to establish a speed ring for stock; to expel a member for gross violation of the rules they may establish; to eject any person from their grounds or buildings for misconduct; to charge and collect gate entrance and booth fees, and generally to do every act and thing necessary and proper to carry out the provisions of this Act.

Buildings, awards.

Police regulations.

SEC. 11. *Be it further enacted*, That the Rutherford County Agricultural and Mechanical Association, shall have, in addition, all the powers and privileges granted to the Tennessee Agricultural and Mechanical Association.

Other powers.

SEC. 12. *Be it further enacted*, That D. M. Nelson, Jno. F. Rodgers, Jno. D. Traynor, P. M. Craigmiles, J. H. Craigmiles, J. K. Clingon, Joseph Tucker Jas. McGhee, T. L. Cate, J. T. Cate, S. C. Hambright, Abe Henry and S. Beard, and such others as they may associate with them be, and they are hereby incorporated, with all the powers and privileges granted to the Tennesse Agricultural and Mechanical Association and to the Agricultural and Mechanical Association of Murfreesboro, Rutherford County, Tennessee, under the name and style of the Bradley County Agricultural and Mechanical Association, for the period of thirty-three years.

Bradley C'ty Agr. & Mech'l Association.

SEC. 13. *Be it further enacted*, That John Murphy, D. Morris, P. Smith and their associates be, and they are hereby, constituted a body politic and corporate, under such name as they may select, and that they be entitled to all the benefits of the foregoing Act.

John Murphy and others.

SEC. 14. *Be it further enacted*, That all laws and parts of laws, conflicting with the provisions of this Act, in so far as they do conflict be, and the same are hereby repealed.

SEC. 15. *Be it further enacted*, That Geo. T. Lewis, W. J. Castner, H. H. Erwin, E. H. Lewis, F. H. French, T. Anderson, George Warfield, W. A. Gleases

and M. J. Wicks, their associates and successors be, and they are hereby created a body corporate, named Battle Creek Coal and Iron Company, and shall have succession for thirty-three years; sue and be sued, plead and be impleaded in any court of law or equity; may adopt and use a common seal, changeable at the pleasure of the Company, and purchase mineral and other lands, and generally to do everything necessary and proper to carry out the provisions of this Act. Battle Creek Coal and Iron Company.

SEC. 16. *Be it further enacted*, That the capital stock of said company, shall be one hundred thousand dollars, with the privilege of increasing it to five hundred thousand dollars, to be divided into shares of one hundred dollars each. Capital Stock

SEC. 17. *Be it further enacted*, That books for the subscription of stock, may be opened by three of the corporators, at any time and place, and closed again, at pleasure; and that when five hundred shares are subscribed and twenty thousand dollars are paid in, the Company may organize, by electing five Directors from the stockholders, one of whom shall be elected President, and one Secretary and Treasurer; said directors and officers to serve one year, or until their successors are elected and organized. The Board of Directors may make any by-laws and regulations for the government of said company not inconsistent with the laws. Subscription books. Officers.

SEC. 18. *Be it further enacted*, That in the event of a failure, on the part of any stockholder to pay up his stock, the share or shares of such stockholder may be forfeited by the Directors, or they may, if they so elect, sue and recover the same. Failure to pay stock.

SEC. 19. *Be it further enacted*, That said Company shall have full power to mine coal, build furnaces for smelting iron ore, and mills for manufacturing iron; to construct incline, tram and other railways, and roads to railroads and navigable waters from their mines and works; when any lands in right of way may be required by said Company for the constructing of roads, and for want of agreement as to the value thereof, or from any other cause, the same cannot be purchased from the owner or owners, the same may be taken at a valuation made by the Commissioners, or a majority of them, to be appointed by the County Court of the county in which the land or right of way may be situated. In case either party to the proceedings shall appeal from the valuation of the said Commissioners to the next Purposes and privileges, etc. Lands, etc. Valuation.

session of the Court granting the commission, the proceedings of said Commissioners, accompanied by a full description of the said land or right of way, shall be returned under the hands and seals of a majority of the Commissioners to the Court from which the commission issued, there to remain on record.

General powers.

SEC. 20. *Be it further enacted*, That said Company shall have power and enjoy all rights, powers, privileges and immunities conferred by law in this State upon any other Company chartered for similar purposes.

May borrow money, etc.

SEC. 21. *Be it further enacted*, That the President and Directors of said Company may, at their discretion, borrow or obtain on loans such sums of money as they may deem expedient for the use of said Company, and may pledge or mortgage all or any part of the estate, improvements and effects of said Company for the payment of said sums of money so borrowed; and the stockholders of said Company shall not be held liable beyond the amount of stock subscribed by them.

SEC. 22. *Be it further enacted*, That nothing contained in this Act shall be so construed as to give said Company the privilege of banking.

Dandridge R. R. Co.

SEC. 23. *Be it further enacted*, That section 16 of an Act entitled "An Act to incorporate the Dandridge Railroad Company," and for other purposes, be so amended as to extend the time of receiving subscriptions to the first day of January, 1870, and that the Commissioners are authorized to re-open their books and keep them open for the reception of subscriptions.

Green. & Paint Rock R.R. Co.

SEC. 24. *Be it further enacted*, That section 22 of the aforesaid Act be so amended as to allow said Greenville and Paint Rock Railroad Company five instead of three years to commence the work on said road.

Town of Dresden.

SEC. 25. *Be it further enacted*, That an Act passed on the 15th day of January, 1846, entitled "An Act to incorporate the town of Dresden in the county of Weakley" be, and the same is hereby in all things revived, so far as the same relates to said town of Dresden.

Corpor'te limits extended.

SEC. 26. *Be it further enacted*, That the corporate limits of said town of Dresden in the county of Weakley be, and the same are hereby extended as follows: Beginning on the south side of the Nashville and Northwestern Railroad where said road crosses the east boundary line of a ten acre lot known as the Hayden lot; thence northward so as to strike the south-east corner of B. D. Irvin's lot; thence due north with his east boundary

and J. M. Reaves's east boundary line, and on to W. W. Parham's north-west corner, and on westwardly to the south butment of the most southern bridge on the Mayfield road in the creek bottom north of Dresden; thence west until it strikes Mud Creek, and down said creek to a point due north of the west side of the lane or alley running between W. B. Blakemore's residence and his lot known as the bank lot; thence south to the south-east corner of the lot known as the Freeman lot, where M. D. Cardwell now resides; thence due east to the beginning. Corpor'te limits extended.

SEC. 27. *Be it further enacted*, That section 12 of said Act, passed January 18, 1846, be, and the same is hereby repealed. Repealed.

SEC. 28. *Be it further enacted*, That all the rights, powers and privileges hereby granted to the Rutherford Agricultural and Mechanical Society, are hereby granted to the Agricultural Society of Franklin county, and that the name of the said society may be changed to that of the Franklin County Agricultural and Mechanical Society. Franklin C'ty Agr. & Mech'l Society.

SEC. 29. *Be it further enacted*, That Angenol Cox, Newton White, David T. Reynolds, Thos. Martin, John C. Brown, Hugh F. Ewing, Robert H. Laird, Neil McCallum, A. M. Wilson, H. H. Hancock, Joseph S. Edmunson, Geo. T. Allman, A. A Dickinson, J. P. May, W. C. Flournoy and Solon E. Rose and their associates, successors and assigns be, and they are hereby constituted a body politic and corporate by the name and style of the Pulaski Manufacturing Company, and by that name shall have corporate succession for fifty years, and shall be competent to sue and be sued in any court of law or equity, to have and use a common seal, and the same to trade, alter and renew at pleasure; to purchase, receive, hold and dispose of any such real estate, leasehold, water privileges, steam power, machinery, patent right and personal property, as may be deemed necessary for the legitimate transaction of their business, and generally to have, enjoy and exercise all the rights and privileges incident to corporations. Pulaski Manufacturi'g Co. Legal powers.

SEC. 30. *Be it further enacted*, That the objects of said association shall be to manufacture and vend flour and meal, and cotton, woolen, hemp and flax goods, and to build and vend machinery of any description, or to do any kind of work they may think proper to engage in; said corporation shall have its principal place of business at or near Pulaski, in Giles County, Tennessee. Purposes, etc.

Capital Stock

SEC. 31. *Be it further enacted*, That the capital stock of said association shall be forty thousand dollars, divided into shares of fifty dollars each, to be paid in at such times and in such installments as may be agreed on by the corporators; said stock shall be transferable only on the books of the Company, and each stockholder, in all elections by the stockholders,

Voting.

shall be entitled to one vote for every share held by him, which he may vote either in person or by proxy; *Provided*, Said capital stock may be increased from time to time by a vote of the stockholders, to a sum not exceeding two hundred and fifty thousand dollars.

Proviso.

The capital stock of forty thousand dollars shall be all subscribed, and at least twenty-five per cent of the same paid in before said corporation shall commence business.

May open books.

SEC. 32. *Be it further enacted*, That any one or more of said corporators may open books for subscription of stock in said Company, at such times and places places as they may choose. When the sum of ten thousand dollars or more has been subscribed, then said stockholders or a majority of them may proceed to organize and elect seven of their number Directors, to manage and control the affairs of the Company for twelve

Organization.

months, or until their successors are elected and qualified. A Board of Directors composed of seven stockholders shall be therefore annually elected by the stockholders to manage and control the affairs of the Company. The time of holding the annual meeting of the stockholders for the election of Directors, shall be fixed by the first Board of Directors, and shall not be thereafter changed, except by a vote of the stockholders at

Annual Meeting.

an annual meeting; but in the event of a failure to elect Directors on the day designated, such election may be held at a subsequent time to be fixed by the Directory. The Directory shall elect one of their number President, and shall select and appoint such other officers and agents as may be deemed necessary.

Officers, salaries, etc.

The Directory shall have power to fix the salaries of all officers and agents of the Company, and to dismiss any officer or agent for any malfeasance, misfeasance, or nonfeasance in office, and may require bond and security in such sum as they may deem proper from any officer or agent for the faithful performance

Dividends.

of his duties. They shall also have power to declare dividends on the stock, call meetings of the stock-

holders, and to pass by-laws, (subject to the approval of the stockholders,) and to make all needful rules and regulations for the government of the corporation. In case of any vacancy in any office or agency, or in the Directory, the Directory or such part as remains in office may fill such vacancy until the next annual meeting of the stockholders, or for a shorter time at the discretion of a majority of the Board of Directors shall constitute a quorum for the transaction of business. In all elections by the stockholders, a majority of the votes cast shall determine the same. Vacancies, etc.

SEC 33. *Be it further enacted*, That each subscriber for stock in said corporation shall be individually liable only for the amount by him or her subscribed, and only until the amount so subscribed is paid in, and if any subscriber for stock shall fail to pay the amount subscribed, or any part thereof, the same may be recovered by action of debt in any court of competent jurisdiction, or such unpaid stock may be declared by the Directory forfeited to the Company. Liability for subscription.

SEC. 34. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 23, 1869.

CHAPTER LV.

AN ACT to Increase the Revenue to Encourage the Development of the Natural Resources of the State, and to Incorporate the East Tennessee Mining and Manufacturing Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That J. W. Thornburgh, S. B. Lane, Seth J. W. Lucky, L. W. Hampton, Wm. R. Sevier, John R. Miller, J. E. Raht, W. O. White, Henry Johnson, A. J. Tipton, Wm. D. Jenkins, Samuel W. Williams, Peter W. Emment, C. C. Taylor, Jr., John Hughes, N. G. Taylor, Wm. Singletary, George Edgar Gresham, O. P. Temple, Lawson Hyde, Thomas A. R. Nelson, John M. Smith, John B. Brownlow, H. C. Corporators.

Smith, N. T. Dannelly, Joseph Wagner, Jr., H. H. Ray, Jones L. Smith, David Smith, Peter Benjamin Ferguson, Robert Smalling, Dr. James Cameron, J. C. Hardin, Samuel E. Griffith, Addison Tredway, J. W. James and Henry Little, their associates and their successors are hereby created a body politic and corporate under the name and style of the East Tennessee Mining and Manufacturing Company, with the right to purchase lands, mines, minerals, water powers and facilities for mining and manufacturing purposes, and also the right to lay and construct, equip and run such railroad or railroads, with their tract or tracts as shall or may be necessary to enable said Corporation to convey their ores and other material from the mines or elsewhere to their mills and factories, and also to establish communication between their mills or manufactories and some chartered railroad line or lines on other roads.

Rights and purposes.

SEC. 2. *Be it further enacted*, That said Corporators shall constitute a Board of Directors, with power to establish rules and regulations and by-laws to govern their action until otherwise elected at a regular meeting of the stockholders, to be held on the first Monday of October every year. Said election shall be advertised by the Secretary of the Company in some newspaper in the State thirty days before said election. Said Directors may establish a common seal, sue and be sued, contract and be contracted with in such manner as they may deem best, not inconsistent with the laws of the State, the laws of the United States and of this charter.

Directors, election, etc.

SEC. 3. *Be it further enacted*, That the capital stock of this Company shall be one million dollars, and may be increased to two million of dollars by a vote of two-thirds of the stockholders, payable fifteen per centum on subscription or before the receipt of scrip therefor and the residue, as called for by the Directors, on sixty days' notice, and non-payment for three months after due, shall be authority to collect the same, and on failure of payment, delinquents shall forfeit their stock to the Company.

Capital Stock

SEC. 4. *Be it further enacted*, That the officers of the Company shall be a President, a Vice President, Secretary, Treasurer and Superintendent, to be elected by the Directors from their number, which number shall not be less than nine nor more than thirteen. The Secretary and Treasurer of the Company may be one and the same person if the Directors shall so elect from time to time. Said Directors, or the President, by au-

Officers, duties, etc.

thority of said Directors, may employ such agents as may be necessary, and also such workmen and employes as may be necessary, and prescribe the duties of officers, agents and workmen and employes, fix the pay of the same, and discharge them at pleasure.

SEC. 5. *Be it further enacted*, That said Company shall cause a stock subscription and stock certificate book to be opened, which shall contain all subscriptions and issues of stock, names of stockholders, amount of stock held, and residence of each stockholder thereof. Said Directors may declare such dividends on the stock as the profits of said Company shall warrant after providing for all floating debts and not impairing the capital stock thereof. Subscription books.

SEC. 6. *Be it further enacted*, That the capital stock shall be divided into shares of one hundred dollars each, and each share shall be entitled to one vote in the person of the owner or by a duly acknowledged proxy. Shares, etc.

SEC. 7. *Be it further enacted*, That any certificate of stock, bearing the evidence of full payment, shall not be liable to assessment on said stock, nor shall any stockholder be personally liable for the indebtedness of the Company beyond his stock. In case of any increase of stock, the original stockholders shall have the right for sixty days to take the same *pro rata* to their old stock held, after which it shall be open to the public on such basis as the Directors shall determine. Liability.

SEC. 8. *Be it further enacted*, That this Corporation shall be subject to such taxes as may be imposed from time to time on similar incorporations in this State. Taxes.

SEC. 9. *Be it further enacted*, That the citizens of the town of Morrison, in Warren County, State of Tennessee, are hereby incorporated by the name of the Mayor and Aldermen of Morrison, and by that name may sue and be sued, contract and be contracted with, hold real and personal property, assess taxes to improve the streets and public square, and pass all ordinances necessary for the benefit and good order of the town. Town of Morrison incorporated.

SEC. 10. *Be it further enacted*, That there shall be elected by the qualified voters of said town a Mayor and six Aldermen, who shall hold their offices for twelve months and until their successors are elected, and it shall be the duty of the Commissioner of Registration of said county to advertise and hold the first election, that the said Board of Mayor and Aldermen may appoint a Constable to execute all corporation business as Election for Mayor and Aldermen.

may be necessary, and after the first election shall hold the election provided for in this, and give a bond and security in such sum as may be fixed by said Board for the faithful performance of his duty.

Quorum.

SEC. 11. *Be it further enacted*, That five of the Aldermen shall constitute a Board to perform all business; they shall keep a record of their proceedings, and shall have power to make all by-laws and ordinances necessary for the good order of the said town, not inconsistent with the law of the State.

Boundary.

SEC. 12. *Be it further enacted*, That the boundaries of said mentioned town be properly surveyed and laid off by the Mayor and Aldermen of said town, and the same submitted to the vote of the legally qualified votes within said bounds thus laid off.

Corpor'te limits of the town of Shelbyv'lle

SEC. 13. *Be it further enacted*, That the Act passed March 3, 1868, section two, relating to the corporate limits of the town of Shelbyville, be and the same is so amended as to strike out that portion of said section except the portion relating to the eastern boundary line and insert instead: Beginning at the Northwest corner of said corporation line and run thence north forty-eight poles; thence east beyond the present line forty-eight poles; thence south to a point on a line eastward, west one-half mile south of the public square in Shelbyville; thence west to the road leading from A. L. Adams' to Shelbyville; thence northwardly to a point at the mouth of the first street south of Moses Marshall's; thence to Duck River.

Irish Literary Association of Nashville.

SEC. 14. *Be it further enacted*, That John Mulroy, Thomas Canning, John S. Mullins, Patrick Clancy and Michael Conner, their associates, successors and assigns, be and they are hereby constituted and appointed a body politic and corporate by the name and style of the Irish Literary Association of the city of Nashville, and by the same name shall sue and be sued, plead and be impleaded in all courts of law and equity, and shall have and use a common seal and change the same at pleasure, and be entitled to all the rights, privileges, powers and immunities as conferred by law on the Irish Literary Association of Memphis, in this State.

Town of Edgefield.

SEC. 15. *Be it further enacted*, That the Corporation of Edgefield, in the county of Davidson, shall be comprised in the following boundaries: Beginning in the middle of Cumberland River, at a point due west from the mouth of Oldham street, on said river, and running thence east with the center of Oldham street to

Dickinson street, thence with center of Dickinson street to Cowan street, thence north with center of Cowan street to the Shelby and Crutcher line, thence eastwardly with said line to the White's Creek Pike, thence across said pike and in an eastwardly direction to the intersection of Lishey Pike and Marina street, and Bound'ry line thence eastwardly with Marina street to the Driver Road, thence southwardly with said road to Laurence Finns, north corner on said road, thence eastwardly with said Finn's north line, it being the line of O'Donald and Cook's, to the Gallatin Pike, thence southwardly with said pike to a point opposite the center of Church street, near Hobson's Chapel, thence southwardly with said Church street to a point on Church street, opposite the north of Sevier street, thence to Sevier street, and thence westwardly with Sevier street to Mennick street, thence with Mennick street to Williams street, and thence with Williams street to its intersection with Tulip street, and thence through a twenty (20) foot alley, which divides the lands of Shelby heirs and the lands of Same. Bang and Roberts to the center of Shelby avenue, and thence westwardly with center of Shelby avenue to the middle of the Cumberland River, at a point opposite the steamboat landing, in Nashville, and thence with the middle of said river to the beginning. To take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

CHAPTER LVI.

AN ACT to Reduce the Several Acts Incorporating the City of Columbia into one Act, and to Amend the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the inhabitants of the city of Columbia, in the county of Maury, as the same extends and is laid out, are hereby constituted a Legal rights and powers. corporation and body politic, by the name and style of the Mayor and Aldermen of the city of Columbia, and by the same name shall have perpetual succession; shall sue and be sued, plead and be impleaded in

all courts of law and equity, and in all actions whatever; may purchase, receive and hold property, real and person, within said city, and may sell, lease or dispose of the same for the benefit of said city; and may purchase, receive and hold property, real and personal, beyond the limits of said city, to be used for the burial of the dead; for the erection of water works; for the establishment of a hospital; for a poor-house, work-house or house of correction; and may sell, lease or dispose of said property for the benefit of the city, and do all other acts touching the same as natural persons; they shall have and use a common seal, and change it at pleasure.

Legal rights and powers.

SEC. 2. *Be it further enacted*, That there shall be a Board of Mayor and Aldermen. The Board of Aldermen shall consist of three members from each Ward, chosen by the qualified voters of each Ward respectively, for one year; a majority of whom, with the Mayor, shall constitute a quorum of said Board to do business and act under this Act and the Acts which this is intended to amend. No person shall be an Alderman unless he be a citizen of the State of Tennessee and a *bona fide* resident in the Ward for which he is elected, and a freeholder in the city. Any Alderman after his election removing from his Ward or ceasing to be a freeholder in the city, shall thereby vacate his office. Each Alderman shall, before entering upon the duties of his office, take an oath that he will demean himself in said office; and any Alderman for any malfeasance, nonfeasance or misfeasance in office may be removed by a two-third vote of the other Aldermen present, and voting. All vacanies in the Board of Aldermen shall be filled by the vote of the majority of the remaining Aldermen. The Board of Aldermen shall provide by their laws for the temporary absence of the Mayor, Recorder and Constable.

Board of Aldermen.

Qualifications

Oath.

Vacancies.

SEC. 3. *Be it further enacted*, That the Mayor shall be elected by the qualified voters of the city, and shall hold his office for one year, and until his successor is elected and qualified. No person shall be elected Mayor who is not at time of his election a citizen of the State of Tennessee and a *bona fide* resident and freeholder of said city. When two or more persons shall have an equal number of votes for the office of Mayor, the election shall be decided by a majority of the votes of the Board of Aldermen elect. A vacancy

How elected.

in the office of Mayor shall be filled in the same manner. The Mayor may fill all vacancies occurring in any office, except that of Aldermen, until the same is filled by election. It shall be the duty of the Mayor to preside at all meetings of the Board of Aldermen, and, in case of a tie vote, shall have the casting vote. No bill shall become a law without first being passed by a majority on three several readings, and be signed by the Mayor. Should any bills thus passed not meet with the approbation of the Mayor, he shall return the same at the next regular meeting of the Board of Aldermen, with his objections in writing. The Board of Aldermen shall then take the objections into consideration and proceed to the consideration of the bill, and if, after such reconsideration, two-thirds of the Board of Aldermen again pass the bill, it shall become a law. It shall also be the duty of the Mayor to take care that all the ordinances of the city are duly enforced, respected and observed within the city; to take an oath of office before he enters upon the discharge of the duties of the same, and to call special sessions of the Board, whenever he may deem it necessary.

Duties of Mayor.

Same.

SEC. 4. *Be it further enacted,* That the Board of Aldermen shall have full power and authority to appoint all officers and agents of the corporation such as they may deem necessary, and may provide by ordinance They shall also fix the compensation of such officers befere their election, which shall not be increased or diminished during their continuance in office; they shall also have power to dismiss any officer or agent by them appointed, two-thirds of a quorum of said Board of Aldermen voting to concur in such dismission.

Officers, quorum, etc.

SEC. 5. *Be it further enacted,* That the City Constable and Recorder of said corporation shall in all respects after their election to office be subject to the by-laws, rules and regulations of the Board of Aldermen of said corporation, and for any violation, neglect or disregard of duty, by-laws, rules and regulations may, at the will and discretion of two-thirds of said Board of Aldermen be removed from office as provided for in the preceding section.

Constable and Recorder.

SEC. 6. *Be it further enacted,* That an election for Mayor, Aldermen and City Constable shall be held in each Ward of said city by the judges of election ap-

Election of Mayor and Aldermen.

pointed by the Commissioner of Registration of voters in Maury county on the fourth Saturday in March every year; the voters to vote by ballot, and only in the Wards in which they reside. Non-resident freeholders who are qualified voters may vote in the Ward where their freehold is situated, and not elsewhere; and if they own freeholds in more than one Ward, they shall vote in but one Ward, and that of their own selection. Judges of election shall be appointed by the Commissioner of Registration of voters for Maury county, who shall take an oath to faithfully and impartially discharge their duties. They shall open the polls at ten o'clock in the forenoon, and close them at four o'clock in the afternoon, when they shall forthwith proceed to ascertain and certify to the existing Mayor the result of such election. In all cases of contested elections, or of a tie vote either of the Mayor or Aldermen, it shall be the duty of the Recorder to qualify the person or persons elected according to the returns of the officers, and after their qualification, they shall hear the testimony and decide upon the right to the contested seat, and make a selection from those who have a tie vote.

Voting, etc.

Contested elections.

SEC. 7. *Be it further enacted*, That the City Constable of said corporation of Columbia shall have power to execute State warrants and other processes, which constables generally have the power to execute, within the limits of said corporation, and that the policemen of said corporation may serve warrants, summons and executions in behalf of and within said corporation.

Constable and policemen.

SEC. 8. *Be it further enacted*, That the Mayor and Aldermen shall have power by ordinance within the city:

General powers and privileges of Mayor & Aldermen.

1st. To levy and collect taxes upon all property taxable by law for State purposes, being in the bounds of said corporation as it is now or may hereafter extend, whether improved or unimproved.

Taxes.

2d. To levy and collect taxes upon all privileges and polls taxable by the laws of the State.

3d. To appropriate money and provide for the payment of the debt and expenses of the city.

4th. To make regulations to prevent the introduction of contagious diseases into the city; to make quarentine laws for the purpose, and enforce the same within ten miles of the city.

Quarantine.

5th. To establish hospitals and make regulations for the government thereof.

Schools.

6th. To establish a system of Free Schools, and regulate the same so as to avoid sectarian influence.

7th. To make regulations to secure the health of the inhabitants, and to prevent and remove nuisances.

8th. To provide the city with water works within or beyond the boundaries of the city.

9th. To open, alter, abolish, widen, extend, establish grade, pave or otherwise improve, clean and keep in repair, streets, alleys and sidewalks, or to have the same done. Streets, etc.

10th. To erect, establish and keep in repair, bridges, culverts, sewers and gutters.

11th. To provide for lighting the streets.

12th. To erect market houses, establish markets and regulate the same.

13th. To provide for the erection of all buildings necessary for the use of the city. Buildings, etc

14th. To provide for the enclosing, improving and regulating all public grounds belonging to the City, in or out of the corporation limits.

15th. To license, regulate and tax auctioneers, grocers, merchants, retailers, taverns, brokers, coffee houses, confectioners, retailers of liquors, hawkers, peddlers, livery stable keepers, keepers of jenny lind and billiard tables, ten pin alleys. Licenses.

16th. To license, tax and regulate hackney carriages, carts, drays, omnibuses, wagons, &c., and to fix the rate to be charged for the carriage of persons and of property within the City, and to the public works and property pertaining to the City.

17th. To license, tax and regulate porters, and to fix the rate of porterage. Same.

18th. To license, tax and regulate, and suppress, theatrical and other exhibitions, shows and amusements.

19th. To regulate, or prohibit and suppress, disorderly or bawdy houses.

20th. To provide for the prevention or extinguishment of fires; to organize, establish and regulate fire companies; to regulate, restrain or prohibit the erection of wooden or brick buildings in any part of the city; to regulate and prevent the carrying on of manufactories dangerous in causing or producing fires. Prevent fires.

21st. To regulate the storage of gun powder, tar, pitch, rosin, saltpetre, gun cotton, and all other combustible material, and the use of lights, candles and stove pipes in all stables, shops and other places.

22d. To establish standard weights and measures, Weights and measures.

to be used in the city in all cases not otherwise provided for by law.

23d. To provide for the inspection and measuring of lumber and other building material.

24th. To provide for the inspection and weighing or measuring stone coal, wood and other fuel, hay, corn and other grain.

Provisions, etc.

25th. To provide for and regulate the inspection of beef, pork, flour, meal, oils, whisky and other spirits, in barrels, hogsheads or other vessels.

26th. To regulate the inspection of butter, lard and other provisions; to regulate the vending of meat, poultry, fish and other eatables; to prevent and punish the forestalling of provisions, and to suppress hucksters.

Police regulations, etc.

27th. To regulate the police of the city; to impose fines, forfeitures and penalties for the breach of any ordinance, and to provide for their recovery and appropriation; to elect a Recorder who shall have jurisdiction in all cases of the violation of their ordinances, to impose fines, forfeitures and penalties for the same; and he is also hereby invested with concurrent jurisdiction with Justices of the Peace in all cases of violation of the criminal laws of the State within the limits of said city.

Offenders.

28th. To provide for the arrest and confinement, until trial, of all riotous and disorderly persons within the city, by day or by night; to authorize the detention of all suspicious persons found violating any ordinances of the city.

29th. To prevent and punish, by pecuniary penalties, all breaches of the peace, noise, disturbances or disorderly assemblies, in any street, house or place in the city, by day or night.

30th. To fix from time to time, the number and boundaries of the wards of the city.

Streets, etc.

31st. To prevent and remove all encroachments into and upon the Public Square, streets, lanes, avenues and alleys established by law or ordinance.

32d. To remove all obstructions from the Public Square, streets, lanes, alleys, sidewalks, etc., and to provide for the construction or repair of all sidewalks and curbstones at the expense of the owners of the ground fronting thereto.

May borrow money.

33d. To contract for the loan of any sum or sums of money on such terms as they can borrow the same, and to pledge themselves in their corporate capacity, their

successors in office and faith of said corporation for the payment of the principal and interest of any sum of money so borrowed in the time and manner specified in the contract.

34th. To pass all ordinances not contrary to the Constitution and laws of the State, that may be necessary to carry out the full intent and meaning of this Act, and to accomplish the object of this incorporation.

Ordinances.

SEC. 9. *Be it further enacted*, That all ordinances and resolutions heretofore enacted by the Mayor and Aldermen of said city, and not repealed or rescinded by them, shall be, and remain in full force and effect, until altered, modified or repealed under this Act.

SEC. 10. *Be it further enacted*, That this Act is hereby declared to be a public law, and may be read in evidence in all courts, without proof or special pleading.

City of Columbia.

SEC. 11. *Be it further enacted*, That the city of Columbia shall have power to erect and organize a work-house in or near said city, and any person who shall fail or neglect to pay any fine or cost imposed on him or her by any ordinance of said city, shall be committed to the work-house until such fine and cost be fully paid. Every person committed to the work-house shall be required to work for the city, at such labor as his health and strength will permit, within or without said work-house, not exceeding ten hours each day; and for such work and labor the person so employed shall be allowed, exclusive of board, a credit upon such fine and cost of not less than seventy-five cents per day until the whole is discharged, when they shall be released; *provided*, that no person shall be compelled to work longer than ninety days for any offense.

Workhouse

Fire Co's exempt from poll tax.

SEC. 12. *Be it further enacted*, That the members of the fire companies in the city of Columbia, be, and they are hereby, exempted from a poll-tax in said corporation taxes; *provided*, that, in order to procure such exemption, it shall be necessary for the members of said companies to procure, from the Secretary of said company, certificates that they are regular members of said fire companies, and that they conform to the constitution and by-laws thereof.

SEC. 13. *Be it further enacted*, That it shall be the duty of said Board of Aldermen to vote, by ballot, at the beginning of each corporate year, the compensa-

Compensati'n of City officers

tion of the following officers: Of the Mayor, not to exceed five hundred dollars per annum. Of the Recorder, not to exceed five hundred dollars per annum, perquisites of office. Of the city Constable, not to exceed six hundred dollars per annum, and perquisites of office; and for each Alderman, not to exceed one dollar for each meeting of the Board they attend.

Repealed.

SEC. 14. *Be it further enacted*, That all Acts and parts of Acts contrary to and inconsistent with the provisions of this Act, or within the purview thereof, are hereby repealed.

Same.

SEC. 15 *Be it further enacted*, That section 3, of An Act entitled, "An Act to incorporate the inhabitants of the Town of Columbia, in the County of Maury," passed November 17, 1817, be, and the same is hereby, repealed; *provided*, that no person shall be eligible to the office of Mayor or Alderman in said city of Columbia who is not a qualified voter of said city under the laws of the State.

Lawrenceb'rg

SEC. 16. *Be it further enacted*, That the provisions of this Act shall apply to the town of Lawrenceburg, Lawrence County, Tennessee, with the exception of the salaries of officers.

Board of Trustees.

SEC. 17. *Be it further enacted*, That the Board of Trustees, named in section one, shall be so changed that said board shall consist of the following persons, viz: Calvin Waterbury, William C. Kyle, Charles J. McKinney, John Netherland, James White, Absalom A. Kyle, A. Pierson, Caldwell Richard, P. Mitchell, Samuel Milligan, Seth J. W. Luckey and Samuel V. McCorkle, of East Tennessee, and Edwin T. Hatfield, Henry Kendal, William A. Booth, Z. Stiles Ely and James O. Murray, of the city of New York; W. W. Wickes and Dexter A. Knoulton, of the city of Brooklyn, State of New York, and Job Pierson, of the city of Kalamazoo, and State of Michigan.

First meeting at Rogersv'lle Female Inst.

SEC. 18. *Be it further enacted*, That section seven, of said Act, shall be so altered as to read as follows: The Board of Trustees of said College, shall hold its first meeting on the 4th day of March, at 7 o'clock post meridian, in the building of the Rogersville Female Institute, or in case a quorum shall not then be present, as near to the above named time and place as a quorum can be assembled, and ever thereafter all its meetings shall be held on its own adjournment.

SEC. 19. *Be it further enacted*, That John C

Brown, Augenal Cox, Thos. M. Jones, J. F. Grant, C. G. Rogers, W. R. Garrett and James McCullum, Luther W. McCord and John S. Wilkes and their successors in office be, and they are hereby, constituted a body corporate, under the name and style of the Pulaski Library Association—to have succession fifty years, sue and be sued in all courts of law or equity; have and use a common seal, which may be changed at pleasure; use and dispose of property, real, personal or mixed, for the use and benefit of the Association, under this Charter, and be vested with, and exercise all the duties, powers and privileges incident to similar corporations in carrying out the intentions of this Act. Pulaski Library Association. Legal powers.

SEC. 20. *Be it further enacted*, That the objects of this Association, shall be to procure by purchase, gift or devise, books, charts, periodicals, and other literature, with which to constitute a Public Library in the town of Pulaski, Tennessee, for the use and benefit of the members of the Pulaski Library Association, together with funds and contributions for the same purpose. Object and purposes,

SEC. 21. *Be it further enacted*, That the Board of Trustees, (whose number shall never exceed nine), may organize by the election of one of their number President, and by the election or appointment of such other officers and agents as they may deem necessary, who shall hold their offices for one year, and until successors are elected and qualified; that the Board of Trustees (a majority of whom shall constitue a quorum for the transaction of business) may have power to adopt by-laws for the government of the Association and the transaction and management of its business, with rules and regulations in the use of the Library; *Provided*, That no by-laws are enacted nor any change made in any existing by-law, except by a vote of a majority of the Trustees, and at a regular meeting. Organization. Quorum, etc.

SEC. 22. *Be it further enacted*, That in case of a vacancy in the Board of Trustees, from any cause, such vacancy may be filled temporarily by the remaining trustees, or in such other manner as may be prescribed by the laws. The time of the annual meeting of the members of the Association for the election of Trustees, and the mode and manner of such election, shall be prescribed by by-laws enacted by the first Board of Trustees, which may be altered, as other by-laws. Vacancies. Elections.

Bond, etc.

SEC. 23. *Be it further enacted,* That the Trustees of the association may require from any officer or agent, bond and security for the faithful performance of his duties.

Taxes.

SEC. 24. *Be it further enacted,* That the property of the association shall not be subject to taxation.

Town of Black Jack.

SEC. 25. *Be it further enacted,* That the citizens of the town of Black Jack, in Robertson county, are hereby incorporated by the name and style of the Mayor and Aldermen of the town of Black Jack, with all the rights, powers and privileges conferred upon the Mayor and Aldermen of Ashland City, in Cheatham county, by An Act passed December 3, 1859; that the boundaries of said town of Black Jack shall be as follows, to-wit: Beginning at a stake in W. D. Griffin's field, thence south 80½ poles to a stone in W. D. Simmons' land, thence west 126 poles to a stone in C. B. Williams' field, thence north 80½ poles to a stone in P. R. Jones' field, thence east 126 poles to the beginning.

Boundary line

Franklin Colored Bene'nt Association.

SEC. 26. *Be it further enacted,* That L. T. Johnson, F. B. Otey, G. W. Carter, F. Southall, H. Wright, A. Blackman, H. Scruggs, John Nolen, G. Harrison, W. A. Carter, and all others who are now, or who may hereafter be associated with them, are hereby constituted a body politic and corporate, by the name and style of the Franklin Colored Benevolent Association, for the purpose of raising funds for the relief and assistance of its members in case of sickness, death or disability to work, and also for the providing for the support of the needy widows and orphans of their race, in the town of Franklin and county of Williamson.

Legal powers

SEC. 27. *Be it further enacted,* That said association shall, by the name and style set forth above, have succession for thirty-three years, and shall be competent to sue and be sued, in any court of law or equity whatever; to have and use a common seal and alter the same at will; to make, change and repeal all by-laws as shall seem best to them from time to time, for the admission of members or otherwise; to adopt for its government a constitution and all such rules and regulations as said association may deem necessary and proper, to carry into effect the designs and objects for which this charter is granted; *Provided,* that by-laws, constitution and regulations shall not be incon-

By-Laws, rules, etc.

sistent with the Constitution and laws of the State of Tennessee, or of the United States.

Board of Directors.

SEC. 28. *Be it further enacted*, That the affairs of this association shall be conducted by a Board of Directors, to be composed of a President, Vice President, Secretary, Assistant Secretary, Treasurer. Assistant Treasurer, Chaplain and six Directors, all of whom shall be elected to office annually, on the first Monday of May of each year, together with such other officers as they may deem proper, a majority of whom shall constitute a quorum for the transaction of business, and any vacancy or vacancies occasioned during the year by death, resignation or legal disability, shall be supplied by appointment of the Board.

Election, etc.

Town of Belleville.

SEC. 29. *Be it further enacted*, That the town of Belleville be, and the same is hereby incorporated, with all the rights, powers and privileges conferred by the Act passed January 24, 1854, incorporating the town of Somerville, that the election of officers of said town shall be held by the Constable of the District in which said town is situated, on the first Saturday in June, 1869, and the first Saturday in June every year thereafter.

Corporate limits.

SEC. 30. *Be it further enacted*, That the corporate limits of said town shall be as follows: Beginning at a stake in the center of the Memphis and Louisville Railroad, at a point four hundred and fifty yards south-west of the center of the depot house; thence in a north-westerly direction 1320 yards to a stake; thence in a north-easterly direction parallel with said road 1760 yards to a stake; thence in a south-easterly direction crossing said road at right angles 1760 yards to a stake; thence south-westerly parallel with said road 1760 yards to a stake; thence north-westerly at right-angles with said road 440 yards to the beginning.

Bell Male and Female Academy.

SEC. 31. *Be it further enacted*, That R. H. Parham, Jr., H. L. Winborne, A. A. Freeman, T. S. Neal, T. E. Noel, Rev. E. H. Osborne, Dr. Wm. M. Jeeks be, and are hereby constituted a body politic and corporate, by the name of the "Trustees of the Bell Male and Female Academy," and in that name may purchase, receive, and hold any property, real and personal or mixed, which may be given, granted, sold, conveyed or devised to them, for the use of said school; said school to be held in trust for the exclusive use and benefit of R. H. Parham, Jr., his heirs and assigns

forever; and by the name aforesaid, said Trustees may sue and be sued, plead and be impleaded, in any court of law or equity.

Powers of Trustees.

SEC. 32. *Be it further enacted*, That said Trustees shall appoint a Secretary; four Trustees shall constitute a quorum for the transaction of any ordinary business; said Trustees shall have power to elect vacancies occurring in this body, whether such vacancy occur by death, withdrawal or otherwise.

President, etc.

SEC. 33. *Be it further enacted*, That the President or Principal of said Academy and Board of Trustees, shall have full power and authority to confer on any pupil of said academy such literary degrees as are or may be conferred in other literary institutions of the same character.

Liquors.

SEC. 34. *Be it further enacted*, That no part of this Act shall be construed as a prohibition to druggists to use spirituous liquors in pharmacutical preparations, or upon prescriptions made by regular physicians.

Tax Collector of Nashville.

SEC. 35. *Be it further enacted*, That An Act passed March 16, 1868, entitled "An Act to amend the charter of the city of Nashville, and for other purposes," be so amended in the fifteenth (15) section of said Act, as to require the collector of the city revenue to hereafter pay *the two and five per centum* more collected by him as costs into the City Treasury, as other revenue when collected.

Same.

SEC. 36. *Be it further enacted*, That An Act, entitled "An Act to amend the charter of the city of Nashville," and for other purposes, passed March 16, 1868, be, and the same is hereby so amended in the seventeenth (17) section of said Act as to require the Collector to pay the twenty (20) *per centum damages* into the city treasury when collected, as other city revenue is when collected by him.

Decaturville.

SEC. 37. *Be it further enacted*, That chapter 1 of the Private Acts of 1867–8, be, and the same is hereby repealed, and that such sections of chapter 88 of the laws of 1859–60, as refer to the existence of the corporate limits of the town of Decaturville in Decatur county be, and the same is hereby revived and restored to full force.

Qualifications of voters in Nashville City elections.

SEC. 38. *Be it further enacted*, That the charter of the city of Nashville is hereby amended so that hereafter no person shall be entitled to vote in any municipal election in the city of Nashville for corporate officers thereof, who is not a *bona fide* resident of the

Ward in which he shall offer his vote, and qualified to vote for members of the General Assembly under existing laws of the State. All non-resident property owners shall not be entitled to vote in said elections unless they have owned the property six months before they offer their vote.

SEC. 39. *Be it further enacted*, That the provisions of sections 8, 10 and 11 of this Act be, and the same are hereby extended to the corporation of Gallatin in the county of Sumner.

SEC. 40. *Be it further enacted*, That the charter of the town of Winchester be so amended as to vest the corporate authorities of the town of Winchester in the county of Franklin with all the powers in the collection of all taxes levied by said corporation authorities in their corporate capacity the same as State and county offices are vested for the collection of State and county taxes.

Town of Winchester, taxes, etc.

SEC. 41. *Be it further enacted*, That the Weston and Montgomery Turnpike Company, the Rutledge Turnpike Company, the Branch Broad River Turnpike Company, shall have the right to erect a toll-gate at some point not exceeding one and one-half miles from Knoxville, and to collect toll at said gates as provided for in their respective charters.

Toll Gates n'r Knoxville.

WHEREAS, It is found and known by sad experience that the good order, peace, harmony, health and safety of the town of Mount Pleasant cannot be preserved, nor the evils, vices and accidents to which said town are subject, avoided or remedied without an internal power, competent to establish a corporation and regulation fittted to the particular circumstances, wants and exigencies, the law-abiding citizens therefore have elected the following named persons officers: T. A. Harris, Mayor; J. M. Anderson, J. M. Gordon, Jas. Andrews, J. L. Bond, F. Altermire, Aldermen; John Parker, Constable; and J. H. Weaver, Policeman.

Town of Mt. Pleasant, officers, etc.

SEC. 42. *Therefore be it further enacted*, That the acts of the above elected officers be legalized in accordance with this charter; that the citizens and inhabitants of the town of Mount Pleasant are hereby constituted a corporation and body politic by the name and style of the town of Mount Pleasant, and by that name shall have perpetual succession; may sue and be sued in all courts of law and equity; may purchase, receive and hold property, real, personal or mixed, within or without the corporation; may sell, lease or dispose of the same for the benefit of the corporation, and may have and use a common seal.

Legal rights and powers.

Bound'ry line

Same.

Qualifications of Mayor and Aldermen.

Election, etc.

Vacancies, etc

SEC. 43. *Be it further enacted*, That the corporation of Mount Pleasant, shall be as follows: Beginning at the fifth lot, running thence between Frith's lot and J. P. Jordan's lot to the Hampshire road, running across said road in the same direction, and through the land of N. L. Stockard until it reaches the Rickett's Mill Road, running thence with said road between M. L. Stockard and J. M. Granbury, and between said Granbury and the lot of Miss Callie Jones to the turnpike road, thence running with said turnpike to the corner between said Granbury and the land of Parker estate, thence running between said Granbury's land and said Parker's land and the creek, thence running with the channel of said creek to a point on Dr. Jordan's land, that will range between the lands of Mrs. Hoge and Mrs. Lawrence to the turnpike road near the toll gate, across the pike in the same direction, running between the Female Academy lot and the lands of Mrs. Lawrence, and between the lands of Mrs. Lawrence and Dr. Jordan, and between the lands of Mrs. Lawrence and Frith lot to the beginning.

SEC. 44. *Be it further enacted*, That there shall be a Council consisting of Mayor and Aldermen; the Board of Aldermen shall consist of five members, elected by the voters of the corporation; no person shall be Mayor and Alderman unless he be [a] citizen of the State of Tennessee and a *bona fide* resident of the corporation at least six months preceding the day of election; all vacancies in the Board of Mayor and Aldermen shall be filled by the majority of the votes of the remaining members; two-thirds of the whole number of Aldermen shall be a quorum for the transaction of business.

SEC. 45. *Be it further enacted*, That the Mayor shall be elected by the voters of the corporation, and shall hold his office one year, and until his successor shall be elected and qualified; no person shall be elected Mayor who is not at the time a citizen of the State of Tennessee, and a *bona fide* resident of the corporation at least six months preceding the day of election, when two or more persons shall have an equal number of votes for [the] office of Mayor, the election shall be referred back by the existing Mayor to the voters of the corporation, and said election shall be held as before, within the next succeding ten days; in case the office of Mayor is made vacant by death, resignation

or otherwise, the Aldermen shall elect his successor, who shall hold his office until the next regular election; it shall be the duty of the Mayor to preside at all meetings of the Council, to take care that all the ordinances of the corporation are enforced, respected and observed within the corporation.

SEC. 46. *Be it further enacted*, That there shall be one Constable and one Policeman, if necessary, elected at each annual election; no person shall be qualified to hold the office of Constable and Policeman, unless he be a citizen of the State of Tennessee and a *bona fide* resident in the corporation or county of Maury; any lawful or legal officer of the county or corporation shall advertise and hold an election for the office of Mayor, Alderman, Constable and Policeman on the first Saturday in January, 1870, and the first Saturday of each year thereafter; all officers under the corporation, shall hold their office for the period of one year, unless removed by death, resignation, misdemeanor in office or otherwise; the newly-elected officers shall be inducted into office on the Monday after the election of each year; all persons elected to office in the corporation, before entering upon their duties, shall subscribe to faithfully and impartially discharge the duties of their office; no person is qualified to vote at the corporation election who is not competent to vote for members of the General Assembly; no person is eligible to office in the corporation unless he be a *bona fide* resident within the corporation at least six months preceding the day of election.

Constable and Policemen.

Term of office

Qualifications

SEC. 47. *Be it further enacted*, That the Mayor shall be *ex officio* Recorder and Treasurer, and shall give bond with good and sufficient security, in the sum required by the Board of Council, payable to the Board of Aldermen and their successors in office, conditioned upon the faithful, honest and lawful discharge of the duties of his office; said bond to be filed with the Clerk of the County Court; the Mayor shall also keep all the records of the Council; that the Mayor of the town of Mount Pleasant shall be, and he is, hereby, invested with concurrent jurisdiction with Justices of the Peace in all cases of violation of the criminal laws of the State, or of the ordinances of the Mayor and Aldermen of the town of Mount Pleasant, within the limits of said corporation; that it shall be the duty of the Mayor to receive and faithfully keep all moneys belonging to the

Recorder, etc.

Mayor's jurisdiction, etc.

corporation and receipt for the same, and to pay out any money in his hands upon the direction of the Council. He shall make and have completed by the first day of May following the return of the Assessor, a duplicate copy of said return, which shall give the same information as said return, and, in addition, the amount of taxes due the corporation, upon each seperate piece of property within the corporation; and also the amount from each person subject to license or other special tax; the aforesaid copy shall be furnished to the Constable, who shall immediately commence the collection of taxes, due the same, until the 15th day of July following, when he shall forthwith proceed to make out a list of those who may be delinquent; said list, if upon real estate, shall give the said information as to ownership, location, valuation and taxes, as the tax book. After said list is completed, certified to and reported to the Mayor by the Constable to be correct, the Constable shall proceed to collect said delinquent taxes, by condemnation and sale; his proceedings thereon to be in the name of the Board of Mayor and Aldermen of the town of Mount Pleasant, and to be governed by the same laws as govern county officers in like cases.

Tax return duplicate.

Constable to collect.

SEC. 48. *Be it further enacted*, That it shall be the duty of the Constable and policemen to enforce the observance and obedience to all ordinances passed by the Board of Mayor and Aldermen. It shall be the duty of the Town Constable or policemen to collect all taxes, privilege taxes, licenses, etc, due the town, and keep a strict account of the same, and shall turn all such moneys over to the Mayor.

Duties of, etc.

SEC. 49. *Be it further enacted*, That the Board of Mayor and Aldermen, shall, at their first regular meeting, appoint an Assessor, whose duty it shall be to make a just and accurate assessment of all propert, real and personal, subject to corporation tax, and return the same to the Mayor by the 15th day of March next following his appointment. His return shall be made in a book suitable for the purpose. He shall also report to the Mayor the names of all persons under the corporation subject to pay license or poll tax. He shall be a *bona fide* resident of the corporation, and shall, before entering upon the duties of his office take an oath to faithfully and impartially discharge the duties of his office.

Assessor's list

SEC. 50. *Be it further enacted*, That the Mayor and Aldermen aforesaid shall have full power and authority to enact and pass such laws and ordinances necessary to preserve the health and peace of the town; prevent and remove nuisances; to establish night patrols; to regulate the grade of streets, alleys and other passways, to provide for licensing and regulating dry goods, drugs, auction, grocery, forwarding and receiving houses, hotels, boarding houses, and 'livery stables, licensing and regulating shows, and other public amusements within the corporation; to provide for licensing professional men, boot and shoe, cabinet and carpenters, carriage and wagon, saddle and harness, and blacksmith houses, tanneries, horse, mule, cattle, hogs and sheep dealers, peddlers, and to tax owners of stallions and jacks for exhibiting in the corporation; to keep in repair the streets, sidewalks and alleys; to remove all obstacles from the streets, sidewalks and alleys, at the expense of the owners or renters of the ground fronting thereto if caused by them; to restrain the erection of buildings dangerous to other improvements; to prohibit gaming and disorderly houses; to build and regulate the town spring; to pass by-laws and ordinances; to impose fines and penalties and forfeitures for breach of their by-laws; to lay and collect taxes in accordance with the laws of the State, in addition to laying taxes; to impose and exact personal labor from every able bodied man, an inhabitant of the corporation, that is not exempt by the State law, between the age of eighteen and forty-five years, for the working and keeping in repair the streets, sidewalks and alleys; to regulate, license and restrain tippling houses; to authorize and compel the opening, widening, and straightening, if necessary, any streets, sidewalks and alleys, now laid off, as well as to open new streets, sidewalks and alleys, upon paying the owners injured therefor, and if any building is considered dangerous, may be removed upon paying to such owner the value thereof. Also that this corporate body shall have power to pass all laws and ordinances necessary to convey the intent and meaning of this Act into effect; *Provided*, they are not incompatible with the Constitution and laws of this State.

Gen'l powers and privileg's of Mayor and Aldermen.

Licenses.

Buildings, etc.

Streets, alleys, etc.

SEC. 51. *Be it further enacted*, That all dues, fines, penalties and forfeitures imposed by the laws and ordinances of said corporation, if not exceeding two hundred and fifty dollars, shall be recovered by action

Fines

of debt before a single Magistrate, and if exceeding that sum, in the Circuit Court of Maury County, in the name of the corporation for the use of the town, and the Board of Council may employ counsel to prosecute any suit.

Gen'l powers and privileges of Board of Mayor and Aldermen.

SEC. 52. *Be it further enacted*, That the Mayor and Aldermen shall have power by ordinance:

1st. To regulate the amount of salaries to be paid to the officers and appointees of the corporation.

2d. To levy and collect taxes upon all property, privileges, etc., taxable by law for State, county and corporation purposes.

3d. To appropriate money and provide for the payment of all lawful debts and expenses of the corporation.

Schools.

4th. To establish and provide for a system of free schools, and regulate the same.

5th. To erect a work and prison house, bridges, culverts, etc., and keep the same in repair; to erect any building necessary for the use of the corporation.

6th. To suppress gambling houses, disorderly houses, and bawdy houses.

Breach of laws.

7th. To impose fines, forfeitures and penalties for the breach of any ordinance, and to provide for the arrest and confinement of all rioters and disorderly persons committing nuisances within the corporation; to punish by pecuniary penalties for breaches of the peace, noise, disturbances, Sabbath-breaking, or disorderly assemblages in any street, house, or place in the corporation.

8th. To publish all ordinances, either in print or writing, and stick them up in the corporation at least three days before going into effect.

Workhouse.

SEC. 53. *Be it further enacted*, That the Mayor and Aldermen may erect, purchase or rent, and organize a work-house within or beyond the limits of the town; and any person who shall fail or refuse to pay any fine or costs imposed upon him or her, under any ordinance of the corporation, shall be committed to the work-house until such fine and costs be fully paid. Every person so committed to the work-house shall be required to work for the town, at such work as his or her health and strength will permit, within or without the work-house, not exceeding ten hours each day, (Sunday excepted,) and for such work shall be allowed seventy-five cents per day and board, until the whole

Offenders to work.

fine and costs are paid, when said person shall be released, and until such work-house is established, such offenders may be made to work on the streets of said town subject to the same provisions as above.

SEC. 54. *Be it further enacted*, That the former charter of Mount Pleasant, and any other special Acts granting said town corporate authority be, and the same are hereby repealed.

SEC. 55. *Be it further enacted*, That this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 25, 1869.

CHAPTER LVII.

AN ACT to incorporate the Farmers' and Merchants' Bank, of Shelbyville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That W. S., J. H., G. W. Thompson and C. A. Warren, and their associates and successors, be, and they are hereby, created a body corporate and politic, under the name and style of the "Farmers and Merchants' Bank of Shelbyville," with a capital stock of two hundred thousand dollars, and shall have succession for thirty-three (33) years; and, as such, shall be entitled to all the rights and privileges, and subject to all the liabilities and penalties, contained in the chapter creating the Bluff City Savings Institution, at Memphis, passed May 24, 1866. Capital, rights, etc.

SEC. 2. *Be it further enacted*, That this Act shall take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 26, 1868.

CHAPTER LVIII.

AN ACT to incorporate Washington Lodge No. 159, Free and Accepted Masons, Weakley County, Tennessee.

Corporators.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John T. Priestly, W. M., P. S., Dunlap, S. W. and W. B. Johnson, J. W., and their successors in office, be, and they are hereby, incorporated a body politic, under the name and style of "Washington Lodge No. 159, of Free and Accepted Masons;" and, as such, shall have a common seal, alter, renew or change the same at pleasure; shall have the power to purchase, hold or own real estate and personal property, with the right and privilege to barter, exchange or sell the same; to improve the real estate, by building or otherwise; and by the name aforesaid, may sue and be sued, plead and be impleaded, in any of the courts of law and equity, and enjoy all other privileges incident to such corporations, not inconsistent with the laws of the United States or of the State of Tennessee.

Legal powers.

By-Laws, etc.

SEC. 2. *Be it further enacted*, That said Lodge shall have power to pass and enact all necessary rules, by-laws and ordinances for its government not inconsistent with the laws of Tennessee, or of the General Lodge under which the same may be holden.

Brick-layers' and Builders' Association of Nashville.

SEC. 3. *Be it further enacted*, That E. C. Sereur, Andrew Alley, A. E. Trabue, Henry Alley, Patrick McKeon, R. W. Shaffer, Sr., W. J. Taylor, Robert H. Johns, Oliver S. Terner, J. A. Myers, W. H. Bush, J. E. Terner, George W. Knight, Samuel J. Knight, and W. H. Perry, who have united themselves together into an association for the purpose of mutual assistance, and for improving the mode and manner of erecting brick buildings in the city of Nashville, and their associates, are hereby created a body politic and corporate, located in the city of Nashville, and known by the name of the "Brick Layers and Builders Association, of Nashville."

Legal powers.

SEC. 4. *Be it further enacted*, That the said corporation shall have power to contract and be contracted with, to sue and be sued, to plead and be impleaded with, to answer and be answered unto, to defend and be defended, in all courts of law and equity in this State; and shall have succession for ninety-nine years, and be

vested with all the powers and privileges necessary to carry out and fullfil the object of this corporation.

SEC. 5. *Be it further enacted*, That said corporation shall keep a common seal, and shall have power and authority to acquire, purchase, receive, possess, be vested with and enjoy property, real and personal, not exceeding in value the amount of twenty-five thousand dollars. Rights, etc.

SEC. 6. *Be it further enacted*, That the said corporation shall have power to establish for its government a constitution and by-laws, not inconsistent with the Constitution and laws of this State, and make such rules and regulations as may be deemed necessary to carry into effect the object of their association. By-Laws, etc.

SEC. 7. *Be it further enacted*, That it shall be lawful for said Association to elect and appoint such officers as the condition and circumstances of the corporation may require, and to prescribe their powers and duties, and to require bond and security for the faithful performance thereof in such penal sums and with such securities as they may choose, and also prescribe the term of their office. Officers, etc.

SEC. 8. *Be it further enacted*, That this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 26, 1869.

CHAPTER LIX.

AN ACT to Incorporate the Murfreesboro Insurance Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That William A Reed, L. M. Maney, J. D. Richardson, J. B. Collier, E. Rusonfield, Thomas A. Elliott and S. H. Miller, of the county of Rutherford and State of Tennessee, their associates, successors and assigns, be and they are hereby created a body politic and corporate under the name and style of the Murfreesboro Insurance Company of Murfreesboro, Tennessee, and as such shall be subject to all the Corporators

restrictions and penalties, and entitled to all the privileges and benefits conferred by the charter creating the National Insurance Company, passed November 17, 1865, *Provided, however*, that the capital stock of said Company shall not be less than one hundred thousand dollars nor more than five hundred thousand dollars; and, *Provided, further*, That when six hundred shares of the capital stock shall have been subscribed, the persons mentioned above may order an election of Directors by the stockholders, and said Directors shall continue to keep the books of subscription open until the residue of the stock is subscribed.

Privileges.

Provisos.

SEC. 2. *Be it further enacted*, That the Incorporators of this Act have twelve (12) months within which to organize after its passage.

SEC. 3. *Be it further enacted*, That Frank P. Cahill, A. R. Z. Dawson, D. F. Wilkin, B. W. Randall, W. D. Talbot and J. K. Rugg, or a majority of them and their associates and successors are hereby created a body politic and corporate under the name of the Nashville Hub and Spoke Manufacturing Company, for the purpose of manufacturing hubs, spokes, felloes, wagons, agricultural implements and wood work of all kinds, or any other branch of mechanism whatsoever, and for that purpose may erect all necessary buildings, storehouse depots, machinery, stocks, tanks, dryhouses, engines, and all other fixtures, implements and apparatus necessary for successfully carrying out the spirit of this charter, and by that name may sue and be sued, plead and be impleaded, appear, prosecute and defend in any court of law or equity, in all suits and actions, may have a common seal, the same alter or revise at pleasure, and may enjoy all the privileges incident to corporations for the term of ninety-nine years, and may purchase, hold, mortgage, transfer and convey any real and personal estate.

Nashv. Hub & Spoke Man'g Co.

Rights, purposes, etc.

SEC. 4. *Be it further enacted*, That the capital stock of said Company shall be twenty-five thousand dollars, with the privilege of increasing the same not to exceed one hundred and fifty thousand dollars, the same to be divided into shares of one hundred dollars each, and that as soon as fifteen thousand dollars of said capital stock shall be subscribed, said Company may commence active operations, and that said stock may be subscribed in money or in personal or real property, as may be agreed upon.

Capital Stock

SEC. 5. *Be it further enacted*, That the affairs of

this Company shall be managed by a Board of Directors, who shall be elected once a year, consisting of not less than three nor more than five persons, who shall elect a General Manager (who shall be a thorough and practical mechanic), and a secretary and Treasurer, and such other officers as may be necessary for successfully carrying out the operations of the Company; to make such by-laws, alter and amend the same at pleasure for the government of the corporation as may seem meet and proper, not inconsistent with the laws of the United States and of this State. That said Board of Directors shall continue in office for one year or until their successors shall be elected by the stockholders. A majority of the Board of Directors shall constitute a quorum to do business; may declare and pay dividends on the capital stock from time to time; the stockholders may vote at all elections in person or by proxy; that the stockholders shall be individually liable for only the amount of stock subscribed by each until the same is paid in full, in money or by the transfer of property, real or personal, as hereinbefore provided, the subscription to be paid in such manner as the by-laws shall provide. No stockholder to be entitled to certificates for stock or allowed to vote on the same beyond the amount actually paid in.

Powers of Board.

Term of office Quorum, etc.

SEC. 6. *Be it further enacted*, That all future Boards of Directors shall be vested with like powers and privileges as those granted to the original Board, to elect all officers named in the preceding section of this Act, to amend the by-laws of the Company, to provide for the transfer of the stock owned by stockholders, to keep a stock-book, in which shall be entered the name and residence of each stockholder and the amount of stock owned by each, the amount paid in the transfer of all shares of stock, the date of such transfer and to whom made; also books showing the assets and liabilities of said Company, of what they consist, the profits and losses of the same, which books shall be subject to the inspection of the stockholders at all times.

Future Boards

Stock book.

SEC. 7. *Be it further enacted*, That J. H. Murray and J. R. Wiggins, and their successors, citizens of Shelby county, shall have the privilege of building a manufacturing mill for the purpose of manufacturing flour, and for other manufacturing purposes, and that the above named persons have the privilege of raising the water on Loosehatchie Creek, to the height of

Murray and Wiggins, etc.

twelve feet, by a dam near the residence of J. H. Murray, and on his land.

Rights and powers.

SEC. 8. *Be it further enacted*, That the said J. H. Murray and J. R. Wiggins, and their successors, have the right to sue and be sued, plead and be impleaded, and that they be considered a body corporate for the purposes hereinbefore set forth, and that they have succession for ninety-nine years.

Cumb. Lodge No. 2, Order of Sons of Herman.

SEC. 9. *Be it further enacted*, That Frederick Mayer, Adam Schildhelm, Charles S. Assman, Albert H. Behm, their associates and successors, be, and are hereby constituted a body politic and corporate in deed and in law, by the name and style of the Cumberland Lodge, No. 2, of the Order of the "Sons of Herman," in the city of Nashville, with power to keep a common seal, and the same to break, alter or amend at pleasure; to sue and be sued, plead and be impleaded, answer and be answered unto, in any action, either at law or in equity, to receive donations and make purchases of property, both real and personal, with power to sell and convey such property, and reinvest the proceeds, for the benefit of said society; also with the power of framing their own constitution, electing their own officers, passing their own rules and by-laws for the government of the members of said society, and of enforcing the same for the purpose of effecting the objects of its organization, and further passing upon the qualifications necessary to membership.

Powers and privileges.

Objects.

SEC. 10. *Be it further enacted*, That the objects of said Lodge shall be to engage in works of charity and benevolence, and to render protection and succor to members of the organization and their families, whenever it may be deemed necessary and proper; shall have succession for thirty-three years, and in case the said Lodge should cease to exist by being reduced in numbers so as not to contain as many as nine members; or if it should forfeit its charter, then all its estate, real and personal, together with all the records, books, papers, jewels, seals and furniture belonging to said Lodge shall immediately vest in the Grand Lodge at Knoxville, Tennessee, and shall be delivered over by the last Secretary or Treasurer, or any other person having custody of the same, to the proper officer or person of said Lodge.

Forfeiture of charter.

SEC. 11. *Be it further enacted*, That Isaac Riseden, Joel Parker, James C. Parker, John M. Cordell, Wil-

liam Sharp, Silas L. Chambers and Wesley Buttram, be, and are hereby incorporated a body corporate and politic, with power to associate with them such other persons as they may deem necessary for the purpose of constructing a turnpike or stage road from Huntsville in Scott county, to Jamestown in Fentress county, the nearest and most practical route, and shall be known by the name of the "Huntsville and Jamestown Turnpike Company," and by that name and style shall have succession for thirty-three years, with all the rights and and privileges, liabilities and restrictions of the "Rogersville and Little War Gap Turnpike Company." Huntsville & Jamestown Turnpike Co.

SEC. 12. *Be it further enacted*, That B. F. Ferrill, H. S. White, John Barry, Z. Loper, James Peyton, W. G. Dorris and John A. Vaughn and others, and their successors and assigns be, and they are hereby constituted and appointed a body politic and corporate by the name and style of the "Hunt's Ferry Turnpike Company," for the purpose of building a turnpike road from, at or near the residence of the late W. O. Harris on the Gallatin Turnpike, to intersect with said road in the county of Sumner to Hunt's Ferry at the Cumberland River in said county; they by the same name shall sue and be sued, plead and be impleaded in all courts of law or equity in this State; they shall have and use a common seal, and change the same at pleasure. Hunt's Ferry Turnpike Co.

SEC. 13. *Be it further enacted*, That the capital stock of said Company shall not exceed the sum of fifty thousand dollars, to be divided into shares of fifty dollars each, and when forty shares of such stock have been subscribed and paid in, by the parties so subscribing, shall meet at such time and place as they may determine, and organize the Company by the election out of their own number of seven Directors and a President; and all the powers, rights, privileges and immunities, *except State aid*, subject to the same restrictions and liabilities as granted to the Gallatin Turnpike Company be, and the same are hereby extended to the said Hunt's Ferry Turnpike Company, and they shall have five years in which to complete their roads. Capital Stock. Rights and privileges.

SEC. 14. *Be it further enacted*, That Wm. Dodd, S. J. Dunlap, J. C. Rodemer and C. L. Porter be, and they are hereby appointed additional incorporators in the Gallatin and Ridge Turnpike Company, incorporated by an Act passed March 16, 1868, and the said Gallatin and Ridge Turnpike Company shall have power to purchase the old road-bed, which has been abandoned for the past six years, or lay out, construct and operate a new one, as they may deem best; said Company shall have five years to complete their road. Galla. & Ridge Turnpike Co.

Cumber. Pres. Church in Murfreesboro

SEC. 15. *Be it further enacted*, That C. M. Brooks, J. N. Clark, H. Osborn, R. N. Ransom, W. A. Reed, J. L. Cameron and their successors in office be, and they are hereby constituted a body politic and corporate by the name and style of the Trustees of the Cumberland Presbyterian Church in Murfreesboro', in the county of Rutherford, Tennessee, with power to sue and be sued, plead and be impleaded in all the courts of law and equity in this State, and to do and perform all other things necessary and usual for like corporations.

Property etc.

SEC. 16. *Be it further enacted*, That said corporation shall have power to receive by gift, donation or otherwise, real and personal property necessary for and about their said church, and for a parsonage for the same; and they shall have power to sell and convey any and all real and personal property they have or may as such corporation acquire, as they may deem advisable; and to do all other things necessary to complete and continue their organization by the election of officers of their Board, and to make such rules and regulations consistent with the laws of the State, as they may deem advisable; any three of said Trustees shall constitute a quorum to transact all business relating to their said corporation, except to sell and convey their property, in which case it shall require the co-operation of a majority of the Trustees who then compose the Board.

Quorum, etc.

Morrison and Altamont Turnpike Co.

SEC. 17. *Be it further enacted*, That E. H. Plumacher, E. N. Falconet, A. B. Davis, James Winton, James Bouldin, Robert Sanders and their associates, shall be, and are hereby constituted a body politic and corporate, by the name and style of the Morrison and Altamont Turnpike Company, and by that name shall sue and be sued, plead and be impleaded; may have and use a [common] seal, and enjoy all the rights, privileges and powers appertaining to bodies politic and corporate by law, for the term of fifty years, and shall have succession. The capital stock of said Company shall be five thousand dollars, with the privilege of increasing the same to twenty-five thousand dollars, should the Company deem it necessary to complete the road, which sum shall be divided into shares of ten dollars each, to be applied to construction and keeping in repair said road; that the persons named are hereby appointed Commissioners to open books and receive subscriptions for stock in said Company at any time within twelve months from the passage of this Act.

Capital Stock

SEC. 18. *Be it further enacted*, That the Morrison and Altamont Turnpike Company are entitled to all the rights, benefits and privileges, except State aid, and subject to all the liabilities of An Act passed by the General Assembly of the State of Tennessee, on the 8th day of December, 1857, incorporating the Bersheba Springs and Tracy City Turnpike Company, and for other purposes. Benefits and privileges, etc

SEC. 19. *Be it further enacted*, That the corporate limits of the town of Dyersburg, in the county of Dyer, are hereby extended, as that the east line thereof shall be three hundred yards east of the present line, and that the north and west boundary lines also be extended three hundred yards north and west from the present lines. Town of Dyersburg.

SEC. 20. *Be it further enacted*, That it shall be lawful for the town of Dyersburg to make a corporate subscription to the capital stock of the Mississippi River Railroad Company, not to exceed fifty thousand dollars in amount, payable in not exceeding four years by annual assessments levied by the Board of Trustees of said town, and collected as other moneys are, and bonds of the town may be issued in anticipation of such collections, collected for town purposes; *Provided*, however, that before the Board of Trustees or Aldermen of said town shall make any such subscription, the question shall first have been submitted to [the] qualified voters of said town, and shall have received a majority of the votes cast therefor after twenty days notice of the time and place of holding said election, and of the amount proposed to be subscribed. May subsc'ibe stock in Miss. Riv. R. R. Co. Proviso.

SEC. 21. *Be it further enacted*, That if the town of Dyersburg shall subscribe stock to the Mississippi River Railroad Company, and the county of Dyer should also subscribe stock in the same road, the town of Dyersburg shall have credit for the full amount of its corporate subscription before any part of the county subscription shall be assessable on the property within said town. Dyer County.

SEC. 22. *Be it further enacted*, That Andy Smith, Bryant Smith, J. N. Church, L. Z. Reagin, Dr. R. R. Meadows, Isaac L. Smith, Joseph S. Edmundson, Drayton Reagin, and James C. Potts and their successors in office as Trustees be, and they are hereby incorporated under the name and style of Bethel Male and Female Academy, and by that name may sue and be sued, Bethel Male & Female Aca

plead and be impleaded, in any of the courts of law and equity; contract and be contracted with, pass all by-laws and ordinances necessary for the proper control and government of said Institution; to employ instructors, superintendents, stewards, agents, etc., and to have a common seal.

How to be governed.

SEC. 23. *Be it further enacted*, That the said Institution shall be governed by Trustees, who, and their successors in office, shall constitute a body politic and corporate, by the name aforesaid, a majority of whom shall constitute a quorum for the transaction of any business pertaining to the Institution, according to law; and any vacancies that may occur in their body, shall be filled by the Board at such times and upon such terms as they may hereafter prescribe in their by-laws and ordinances; they may elect from their own body a President, Secretary and Treasurer, as well as such other officers as they may think necessary, who shall hold their offices for the period of one year, and until the election and qualification of their successors.

By-Laws, etc.

Gen'l powers of Board

SEC. 24. *Be it further enacted*, That said Board of Trustees shall have power to employ instructors, lecturers, superintendents; fix the rules and regulations, and terms of tuition; prescribe the course of study; make all necessary rules and regulations for the government of said Institution, and its property; hold real, personal and mixed property, by gift, purchase, or devise, or upon loan, and sell or exchange the same as the interest of the institution may require; to confer upon general rules and regulations to be by them adopted, such literary degrees and diplomas as are usual in Academies and Colleges, and have and enjoy all the powers and privileges that are incident or necessary to corporations of this description, not inconsistent with the laws of the land.

Subscriptions buildings, etc.

SEC. 25. *Be it further enacted*, That said Board shall have power to receive subscriptions of stock in said Institution, in such sums and upon such terms as said Trustees may prescribe, to create and sell scholarships, to create and raise an endowment fund, invested in such manner as they may direct; and the property and assets of the Institution shall be held, governed and controlled under such by-laws and ordinances, as may from time to time be enacted by said Board.

President.

SEC. 26. *Be it further enacted*, That the signature of the President shall be sufficient to execute an order of the Board, either for the conveyance or transfer of

real or personal property, or choses in action, or to create a legal liability upon said Board.

SEC. 27. *Be it further enacted*, That nothing in this Act shall be so construed as to give State aid to any individual company or incorporation.

SEC. 28. *Be it further enacted*, That section 12, of An Act passed March 11, 1867, entitled An Act to incorporate the "Chattanooga Bridge Company, and for other purposes," be so amended as to authorize the said David Groves or his successors, the privilege of running any ferry or ferries, or building any bridge or bridges at any point on Wolfe River, for a distance of six miles from the mouth of said Wolfe River, under the restrictions and liabilities of sections 12 and 13 of said Act; and said David Groves or his successors are hereby authorized to charge the same rate of toll on any ferry or ferries, bridge or bridges, he may build, as authorized in section 13 of said Act. Wolf River ferries.

SEC. 29. *Be it further enacted*, That the Farmington and Fayetteville Turnpike Company be, and they are hereby authorized to put a third toll-gate on their road anywhere within one or two miles of the junction of their road with the Eaglesville and Chapel Hill Turnpike road; and that they may have power to advertise in writing, at three or more public places along said road, as a sufficient notification to hold their elections for officers of said road, instead of advertising in some newspaper. Farmington & Fayetteville Turnpike Co.

SEC. 30. *Be it further enacted*, That W. H. Morgan, J. B. Wasson, J. C. Ross, W. T. Arrington, R. Russell, W. R. Johnston, G. W. Acree, W. McCarty, T. E. Beech. J. P. Wilson, John P. Wilson, their associates and successors be, and they are hereby created a body politic and corporate by the name of the Tennessee Dental Association, for the purpose of cultivating and diffusing scientific and professional knowledge, of promoting dental education in the profession, and cultivating kindly relations among the members thereof, with power to adopt such constitution and by-laws as they may think proper for their government; *Provided*, the same do not conflict with the laws of the United States or State of Tennessee. Tenn. Dental Association.

SEC. 31. *Be it further enacted*, That the incorporators and their successors may use a common seal; may sue and be sued, plead and be impleaded in any of the courts having jurisdiction; make contracts, buy, hold and sell property, real and personal, and may exercise all the powers and privileges belonging to corpor- Legal powers

ate bodies, for the purpose of carrying out the objects of this corporation.

Alumni Ass'n of Union University.

SEC. 32. *Be it further enacted*, That Jno. W. Thomas, H. J. Riddle, A. B. Haynes, A. D. Trimble, T. D. Jones, S. G. Sellers, S. Y. Trimble, M. F. Jordan, Wm. Critchlow, B. Lilliard, James M. Alexander, W. A. Cooper, C. Cooper and John McCall. be, and the same are hereby constituted a body politic and corporate by the name of the Alumni Association of "*Union University*," of which association all the alumini of said university shall be members and enjoy equal rights and privileges in all elections and appointments to office.

Annual meeting, etc.

SEC. 33. *Be it further enacted*, That said Alumni Association shall meet annually on the day preceding the Commencement Day of the said Union University, at the Union City Hall, and elect by ballot of their own number a President, two Vice-Presidents, a Secretary and Treasurer, who shall remain in office for a term of one year, or until their next annual meeting, and until their successors in office shall have been elected.

By-Laws, etc.

SEC. 34. *Be it further enacted*, That said Alumni Association shall be competent to make all by-laws and rules to regulate and govern its meetings and the deportment of its members, and enjoy all the rights and privileges usually granted to other corporations for educational and literary pursuits.

Trus. of Tenn. Man'al Labor University.

SEC. 35. *Be it further enacted*, That section 6 of the Act recited in the caption hereof, be amended by the addition to the same of sections 11 and 12 of said chapter nineteen; and the Trustees of the Tennessee Manual Labor University, shall have all the powers, and enjoy all the benefits given by said sections 11 and 12, to Buffalo Male and Female Institute.

O. P. Temple.

SEC. 36. *Be it further enacted*, That O. P. Temple be, and is hereby constituted one of the corporators of the "Union Bank" of Knoxville, and that this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 26, 1869.

CHAPTER LX.

AN ACT to Incorporate the Lebanon Woolen Mills, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Samuel T. Mottley, D. C. Kelley, B. D. Pendleton, I. M. Goodbor, their associates, successors and assigns, be, and are hereby declared a body politic and corporate, under and by the name and style of "the Lebanon Woolen Mills," with full privilege and power to manufacture wool and cotton in all the methods now known and used and to be known and used; to erect all buildings, machinery fixtures and warehouses, as may be conducive and necessary to the successful operation of their said business, in all its various ramifications and departments, and shall have power to buy, sell and lease real estate, to receive, own and purchase personal estate, and dispose of the same with all the rights, powers and privileges, necessary and proper for them as an incorporate company, and by said name and style shall sue and be sued, plead and be impleaded in all the different courts of the country, and shall have full succession for the full term of thirty-three years; *Provided*, That nothing in this Act shall interfere with the vested rights of any other Company, chartered by the laws of the State of Tennessee.

Corporators.

Purposes.

Powers and privileges.

SEC. 2. *Be it further enacted*, That the capital stock of said company, shall be twenty-five thousand dollars, with power and right to increase the same to the sum of one hundred thousand dollars, which capital stock shall be divided into shares of such amount as the corporators may declare and determine, and said company shall have power to elect a President, Secretary, Treasurer, Directors and such other officers as they may deem for their best interests, and appoint agents for the transaction of all business, and shall fix and declare in their by-laws, what officers they may need and will have, and the terms and tenure, power and compensation of same, and shall have power to make and enact a system of by-laws and rules for their regulation and government.

Capital Stock

Officers.

SEC. 3. *Be it further enacted*, That the stock and property of said company shall be transferable and assignable on the books of said company, or in such manner as the stockholders may determine, and said company shall be organized at such time and place as the incorporators may determine, and ever after hold

Stock and property, etc.

their meetings, as may be fixed and agreed on by the incorporators, and such books shall be kept, as may be deemed advisable and necessary.

SEC. 4. *Be it further enacted*, That said corporation shall not be dissolved except by a two-third vote of the capital stock.

SEC. 5. *Be it further enacted*, That Samuel T. Mottley, James H. Button, E. M. Neal, E. I. Golladay, James B. Price, Benjamin James Tames, Thomas J. Stratton, J. C. Rodimer, W. S. Mundy, Jas. F. Lauck, W. Key, Wm. Dodd, J. B. Hobby, and W. J. Neely, and their associates and successors who have acquired, or may acquire, from proper persons, the right to construct, carry on and use the electro magnetic telegraph, heretofore invented and patented, or any five of the persons named, be, and are hereby, declared a body politic and corporate, under the name and style of the "Lebanon & Gallatin Telegraph Company." As such corporate body they shall have power,

Lebanon and Gallatin Telegraph Co.

1st, To have succession by its corporate name and make contracts.

2d, To sue and be sued.

3d, To use a common seal, and alter the same at pleasure.

Gen'l powers and privileg's

4th, To hold, purchase, dispose of and convey, real estate and personal estate, to such an amount as its business may require.

5th, To appoint such subordinate officers and agents as the business of the corporation shall require, and prescribe their duties and affix their compensation.

6th, To make by-laws and regulations necessary for the conduct of their business, and for the issuance and transfer of their stock, and not inconsistent with existing laws.

SEC. 6. *Be it further enacted*, That said corporation shall have power to cause to be erected, kept and used, a line or lines of telegraph of such description as they may, from time to time, think proper, between the towns of Lebanon, Gallatin and Murfreesboro', or either of said towns, for the use of the public generally, under such rules and regulations as may be deemed expedient, and at such rate of compensation as may be agreed upon, and for that purpose said corporation may use such amount of capital as may be needed to carry on said business.

Telegraph lines.

SEC. 7. *Be it further enacted*, The capital stock shall be held in shares of twenty-five dollars each, and

Capital Stock

the number may be increased or diminished from time to time, as may be deemed expedient, and as its business may require.

Board of Directors.

SEC. 8. *Be it further enacted*, The stockholders shall annually elect five Directors, who shall manage all the affairs of the company, and of whom shall be elected by the Directors a President of the corporation, and in all such elections each share of stock shall entitle the holder to one vote, and all vacancies to be filled by the Directors.

Leb., Gal. & Murf R. R. Co

SEC. 9. *Be it further enacted*, The Lebanon, Gallatin & Murfreesboro Railroad Company shall have power and authority to subscribe for and hold stock in said corporation, and to contract and agree with said telegraph corporation for the erecting, keeping up and using and transacting the business of telegraphing, and to agree with said telegraph corporation, for the transmission of its dispatches and telegraph business on such terms as the two corporations may agree on, and they shall have power to contract with each other for that purpose.

Office.

SEC. 10. *Be it further enacted*, The office shall be kept of said corporation, at Lebanon, where all dividends shall be paid, and books of transfer of stock shall be kept.

Connecting lines.

SEC. 11. *Be it further enacted*, The said corporation shall have power to contract for all connections with other lines, in and out of the State, they may think proper, and to purchase or build such connecting lines extending to any place they may deem advisable, and may enlarge their capital at any time for such purpose.

Trespasses.

SEC. 12. *Be it further enacted*, Every person who shall destroy or commit a trespass upon the fixtures and constructed work of said corporation, created and built in pursuance of the authority herein given, actually interrupting or with intent to interrupt the operations of the telegraph shall pay to said corporation five hundred dollars for such offence, and shall be further liable for all damages which the said corporation may suffer in repairing the injury and the interruption of their business, to be recovered in any court having jurisdiction of the same, and shall be further liable to indictment, and a conviction be found in such amount as the court trying the case may see fit.

Penalty.

Powers, etc.

SEC. 13. *Be it further enacted*, This corporation shall have all the rights and power, and be subject to all the

restrictions imposed by law, and contained in section 1316 to 1324 inclusive, of the Code of Tennessee.

Lebanon Manuf'ng Co.

SEC. 14. *Be it further enacted*, That a body corporate and politic is hereby established, by the name and style of the Lebanon Manufacturing Company, for the purpose of manufacturing agricultural implements, hubs, spokes, buckets, and all other articles composed in whole or part of wood, and that said Company is empowered to make and use a common seal; to change it at pleasure; to make such by-laws (not inconsistent of the laws of the State and of the United States) as are necessary and useful; to sue and be sued; to have succession; to hold by purchase or otherwise, (and dispose of the same,) any real estate or personal property, which may be convenient or necessary to carry on its operations, or which it may become possessed of in payments of debts due to it, in whole or in part, or otherwise purchased; *Provided, nevertheless*, That the real estate so held shall at no time exceed double the maximum amount of its capital hereinafter provided.

Legal powers

Capital Stock

SEC. 15. *Be it further enacted*, That the capital stock of said Company shall be divided into shares of one hundred dollars each, and shall consist of not less than one hundred shares, and not more than twenty-five hundred shares, transferable only on the books of the Company, and then only with the consent of the Board of Directors, unless the full amount of said shares shall have been paid. The Company shall have power to declare forfeited to it any stock upon which the installment called for remain unpaid in whole or in part, or it may at its option, sue for and recover the unpaid amount before any tribunal having jurisdiction of such sums; first, however, having given thirty days legal notice of such case having been made; said Company shall have power to transact its business at one or more points as may be deemed expedient.

Forfeiture of Stock.

Election of Directors, etc.

SEC. 16. *Be it further enacted*, That the officers of said Company shall consist of five Directors, who, together with a President by them elected from their own body, shall manage its affairs. The said five Directors shall be elected by the stockholders, each stockholder being entitled to one vote for each share he may hold; said stockholders may vote either in person or by proxy. The Directors shall hold their office for one year, and until their successor shall have been elected.

SEC. 17. *Be it further enacted*, The stock in said Company shall be held and deemed as personal property.

SEC. 18. *Be it further enacted*, That this Act shall take effect from and after its passage.

SEC. 19. *Be it further enacted*, That Wm. Conner, Charles Conner, W. B. Sawyer, Dr. Wm. H. Tucker, Dr. J. H. Wardlaw, J. O. Mitchell, J. H. Thompson, Wm. Wilkerson, Hiram Porter, Sid Hiskelly, Wm. P. Pillow, J. F. Young and J. F. Pierson, of the County of Lauderdale, are hereby authorized as commissioners to open books at such times and places as they may think proper, for the purpose of receiving subscriptions to the amount of seventy-five thousand dollars or less, if sufficient, to be applied to the making of the Plank Turnpike road, from Hales Point, on the Mississippi River, in the County of Lauderdale, to the Double Bridges, or to any point near that, so as to intersect the Mississippi Railroad in said county, which sum shall be divided into shares of fifty dollars each; said commissioner shall, as soon as twenty thousand dollars are subscribed, call a meeting of the stockholders, for the purpose of organizing said company and the stockholders shall proceed to elect from their body, five Directors, and in voting for said directors, each stockholder shall be entitled to one vote for each share, and the Directors, when elected from their own body a President, and also to elect such other officers as may be necessary, for the time of two years, and until their successors are elected and qualified, which said directors and their successors are hereby created a body politic and corporate, by the name and style of the Hales Point and Double Bridge Plank Road and Levee Company, and by that name may sue and be sued, plead and be impleaded in all courts of law or equity in the State, and have a common seal and have succession for ninety-nine years.

Commis'rs to open books for Hale s Point Plank ro'd Co

Shares.

Election.

Powers, etc.

SEC. 20. *Be it further enacted*, That as soon as may be convenient, after said company is organized, the Directors of some agent appointed by them, shall proceed to designate and mark out the route of said road, which shall commence on the bank of the Mississippi River at Hales Point, and thence the nearest and most practicable route to the Double Bridges, or to the intersection of the Mississippi River Railroad.

Route.

SEC. 21. *Be it further enacted*, That said road shall be at least sixteen feet wide at the top, and shall be above overflow at extreme high water, and shall be covered with plank; when said road is completed to the highlands, the company shall be authorized to erect a toll gate.

Character of road.

Powers of Directors'

SEC. 22. *Be it further enacted*, That the President and Directors, or any of them, shall be sufficient to transact the business confided to them, and all vacancies happening in the Board between the regular meetings of the stockholders, shall be supplied by the Directors, two-thirds being present.

Stock may be paid in work.

SEC. 23. *Be it further enacted*, That the stockholders shall have the privilege of paying the amount of stock, or any part, in work upon the road in its construction, or in money, as the Company shall order; and in letting out contracts for building the road, the Directors shall give a preference to stockholders who desire to make contracts; *Provided*, stockholders will undertake such contracts upon as good terms as they can be let to others.

May increase capital.

SEC. 24. *Be it further enacted*, That said Company may increase its capital stock to one hundred thousand dollars if found necessary to complete their road to the intersection.

Damages for land taken.

SEC. 25. *Be it further enacted*, That if any person or persons, over whose land said road may run, claim damages, and he, she or they and the Company cannot agree upon the amount, he, she or they may apply to the Circuit Court of Lauderdale County at its next or subsequent term by a petition, setting forth the case, and the Court shall appoint a jury of five disinterested men to go upon the ground, after being sworn by the Sheriff, assess the damages which, in their judgment their petitioner has sustained by said road running over his, her or their land, or through the land of his, her or their ward in case of minors, which assessment of damages shall be made out and signed by said jury and returned to the next term of said Court, and judgment shall be entered and execution for the same against the President and Directors in favor of the person entitled to the same. In making out the report the said jury shall take into consideration the advantages of said road to the petitioner. The property in said road, when completed, shall vest in said Company and their successors for the purpose of a highway, which shall be free for all persons on the terms and conditions herein prescribed, the same shall not be liable to taxation.

Assessment.

Taxes.

May hold property, etc., to construct ro'd

SEC. 26. *Be it further enacted*, That the President and Directors may purchase for the use of the Company any quantity of lands not exceeding twenty-five acres adjacent to each toll-gate, and take conveyance thereof to themselves and their successors in office, and for the purpose of making said road and keeping it in repair, the President and Directors or their agents or servants,

may cut, dig, quarry and take from any land adjoining said road such timber, gravel, stone or earth, as may be necessary for the constructing and keeping said road in repair. If any person from whose lands any timber may be taken, shall conceive him, her or themselves injured, and the amount of damages cannot be agreed upon between him, her or them and the Company, the matter shall be settled in the same manner prescribed in the seventh section of this Act.

SEC. 27. *Be it further enacted*, That the President and Directors may, from time to time require such advances on the shares subscribed as the wants of the Company may require; *Provided*, no call be made for more than five dollars on such at any one time, of which twenty-five days' notice shall be given in writing, addressed to each stockholder at his nearest post-office; and if at any time a stockholder shall fail to pay such installments on his stock as may be called for at the time and in the manner prescribed, the Board of Directors at the time being, shall have full power to declare such stock forfeited, and shall, after giving ten days' notice thereof, offer the same for sale to the highest bidder, for cash; at least five days' notice of the time and place of the sale being given to the stockholder; and the number of shares so sold shall be transferred by the President and Directors to the highest bidder, who shall, by virtue of such transfer become a member of said Company, and if the same be not equal to the amount to be paid and the call for which it was sold, the Company may proceed to collect the residue from the original stockholder by suit in any court or tribunal of this State having jurisdiction thereof, and judgment rendered for installment of stock shall not, if rendered by a Justice of the Peace be subject to stay of execution.

Calls for payment of stock.

Forfeiture of stock.

Same.

SEC. 28. *Be it further enacted*, That when said Company shall have completed said road to the Highlands, and established a gate as provided for in the fourth section of this Act, they shall be authorized to demand and receive the following tolls, to-wit: For every loaded wagon drawn by six horses, mules or oxen, eighty cents; for every empty wagon drawn by six horses, mules or oxen, sixty cents; for every loaded wagon drawn by five horses, mules or oxen, seventy cents; for every empty wagon drawn by five horses, mules or oxen, fifty cents; for every loaded wagon drawn by four horses, mules or oxen, sixty cents; for every empty wagon drawn by four horses, mules or oxen, forty cents; for every loaded wagon drawn by three horses, mules or oxen, fifty cents; for every empty wagon drawn by three

Rates of toll.

Same.

horses, mules or oxen, thirty-five cents; for every loaded wagon drawn by two horses, mules or oxen, forty cents; for every empty wagon drawn by two horses, mules or oxen, thirty cents; for every loaded wagon drawn by one horse, mule or ox, thirty cents; for any empty wagon drawn by one horse, mule or ox, twenty cents; for each loaded cart, thirty cents; for each empty cart, twenty cents; for each four wheeled pleasure carriage, sixty cents; for each two-wheeled pleasure carriage, forty cents; for man and horse, twenty cents; for each horse or mule, not in drove, ten cents; for each horse or mule in drove, ten cents; for each head of cattle, five cents; for each head of sheep, three cents; for each head of hogs, three cents. And should said Company continue said road in the direction of Double Bridges or the Junction, that so soon as an additional section of five miles is completed they shall be authorized to establish another gate, at which they may demand and receive one half of the above toll and no more; only two gates are to be established on the whole road.

Rates of Toll

Same.

SEC. 29. *Be it further enacted*, That if any person shall refuse to pay the toll hereby granted at the offering to pass, the toll-gatherer may lawfully refuse the passage of such person or persons, or things, subject to toll as aforesaid, or if any person, article or thing, liable to pay toll, shall, by any means, pass without payment when demanded by the toll-gatherer, the Company may, by warrant from any Justice of the Peace, recover from such person or persons, or from the owner of the articles or things, or the person or persons in possession of the articles or things subject to toll, ten dollars.

Refusal to pay tolls.

SEC. 30. *Be it further enacted*, That if said Company shall not begin the said road within two years after the passage of this Act, and complete the same within five years thereafter in the manner herein provided, this charter shall be forfeited; *Provided*, that nothing in this Act shall be so construed as to conflict with the general law of this State.

Forfeiture of charter.

SEC. 31. *Be it further enacted*, That J. P. Clark, William Pickett and William Baker are hereby constituted a body politic and corporate under the name and style of the Board of Managers of the Mount Taber Cemetery, to have perpetual succession, with all the rights and privileges usually granted to corporate bodies, carrying out the intention of this charter.

Mount Taber Cemetery.

SEC. 32. *Be it further enacted*, That the object of this charter is to procure, by purchase or otherwise, lay off, arrange and dispose of to parties, a lot of ground not exceeding ten acres, in or near the town of Mc-

Objects, etc.

Minnville, Warren County, for a burying place, to be known as the Mount Tabor Cemetry.

SEC. 33. *Be it further enacted*, That the Board of Managers may organize by the election from among their own body, a Chairman, Secretary and Treasurer, and fill vacancies whenever they may occur by death, resignation or otherwise; *Provided*, that [if] a vacancy occur in the entire Board, the same may be filled by a majority vote of the owners of lots in said Cemetery, each lot entitling the holder to one vote either in person or by his or her legal representatives in law or relationship; *Provided*, that nothing contained in this Act shall be construed as giving State aid to said Company embraced in the same. Organization, vacancies, etc

SEC. 34. *Be it further enacted*, That there is hereby created a Corporation, to be styled the "Unionville and Chapel Hill Turnpike Company," with a capital of not exceeding twenty-five thousand dollars, to be divided into shares of twenty-five dollars, with authority to build a turnpike road from Unionville, in Bedford County, to Chapel Hill, in Marshall County, or to some point to be agreed upon, upon the Eagleville and Chapel Hill Turnpike Road, with all the powers, rights and privileges, and all the liabilities and obligations of the Shelbyville and Unionville Turnpike Company as far as applicable. Unionville & Chapel Hill Turnpike Co.

SEC. 35. *Be it further enacted*, That William Collins, Augustin Wilson and William C. Blanton, of Bedford County; and Elgin Williams, James M. Ezell and James M. Patterson, of Marshall County, be appointed Commissioners to open books for the subscription of stock in said Turnpike Company, any two of whom may act, or any agent or agents they may appoint, and that said Company shall have at least one Turnpike Gate. Commissioners.

SEC. 36. *Be it further enacted*, That the charter of the Shelbyville and Flat Creek Turnpike Company is hereby revived, and Calvin D. Pierson, Samuel Reager, J. T. Snoddy, William Hills, Jordan Hale, Andrew Wamack, Thomas Dean, Joseph H. Fain, Thomas Hudson, Marian Hudson, William G. Conner, E. A. Reager and R. C. Bearden, be appointed Commissioners for said Turnpike Company. Shelby. & Flat Creek Turnp. Co.

SEC. 37. *Be it further enacted*, That further time, until the first day of January next, be allowed the Eagleville and Farmington Turnpike Company, to comply with the time of the Act allowing them State aid. Eag. & Farmington Turn. Co.

SEC. 38. *Be it further enacted*, That the second section of An Act passed 3d of March, 1868, chapter 72,

Repealed.

entitled "An Act to repeal section 12, chapter 102, of the Acts of 1853 and 1854, and for other purposes" be, and the same is hereby, repealed.

T'wn of Mason incorporated.

SEC. 39. *Be it further enacted*, That the citizens of Mason, in the county of Tipton, and State of Tennessee, are hereby incorporated, by the name of Mayor and Aldermen of Mason, and by that name, sue and be sued, contract and be contracted with; hold real and personal property, assess taxes to improve the streets and public squares, and pass all ordinances necessary for the benefit and good order of the town.

Boundary line

SEC. 40. *Be it further enacted*, That the boundary lines of said corporation shall be as follows: Beginning South of the Memphis and Louisville Railroad, at a Willow Oak Corner, marked C.; thence N 44 1-2 West, thirty six chains 70 links to a stake; thence North 60 3-4 deg. twenty-one chains to a stake; thence South 37 degrees E twenty-seven chains 10 links to a stake south of railroad; thence South 64 1-2 degrees W sixteen chains 23 links to the beginning.

Election of Mayor and Aldermen.

SEC. 41. B*e it further enacted*, That there shall be elected by the qualified voters of said town; a Mayor, six Aldermen and Constable, who shall hold their offices for twelve months, and until their successors are elected, and it shall be the duty of the Sheriff of the county to advertise and hold the first election on ————, and after the first election, the Town Constable shall hold the election provided for in this Act; he having given bond and security in such sum as may be fixed by said Board of Mayor and Aldermen, for the faithful performance of his duty.

Powers and privileges.

SEC. 42. *Be it further enacted*, That the Mayor and Aldermen of the town of Mason, shall have power by ordinance in said corporation, to buy and collect taxes upon all property taxable by law for State purposes, and upon all privileges and polls, taxable by the laws of the State; to appropriate money and provide for the debts and expenses of the town; to prevent and remove nuisances; to open, alter, abolish, widen, extend, grade, establish, improve, preserve and keep in good repair the streets and sidewalks; to establish patrols and watches; to regulate and suppress all disorderly houses; and houses of ill-fame, and to provide for arrest and confinement until trial of all vagrants, riotous or disorderly persons within the limits of the town; to impose fines, forfeitures and penalties for the breach of any ordinance or by-law, and to provide for their recovery.

SEC. 43. *Be it further enacted*, That the Mayor and Aldermen may, as soon as practicable, after the passage of this Act, erect, purchase or rent, and organize a Workhouse, within or beyond the limits of the town, and any person who shall neglect, fail or refuse to pay any fine or costs imposed upon him or her, under any ordinance of the town, shall be committed to the Workhouse until such fine and cost be fully paid; every person so committed to the Workhouse, shall be required to work for the town at such work as his or her health and strength will permit, within or without the Workhouse, not exceeding ten hours each day (Sundays excepted); and for such work, shall be allowed one dollar per day and board, until the whole fine and costs are discharged, when said person shall be released; *Provided*, That no person shall be compelled to work longer than three months for any one offense; and until such workhouse is established, such offenders may be made to work on the streets of said town, subject to the same provisions and limitations as above.

Workhouse.

Offenders to work for town

SEC. 44. *Be it further enacted*, That the Aldermen elect shall judge of their own qualifications, and those of the Mayor and other corporate officers.

SEC. 45. *Be it further enacted*, That the Mayor shall act as the President of the Board of Aldermen, and in his absence, the Aldermen shall choose one of their own number to act as President, *pro tem*.

President, etc

SEC. 46. *Be it further enacted*, That no person shall be elected or qualified as Mayor or Aldermen, who is not a *bona fide* resident of the town at the time of election.

SEC. 47. *Be it further enacted*, That the Mayor shall be *ex-officio* Recorder and Treasurer, and shall give bond with good and sufficient security in the sum of ——— payable to the Board of Aldermen and their successors in office, conditioned upon the faithful, honest and lawful discharge of the duties of his office; said bond to be filed with the Clerk of the County Court. The Mayor shall also keep all the records of the Council. That the Mayor of the town of Mason shall be, and he is hereby invested with concurrent jurisdiction with Justices of the Peace in all cases of violation of the criminal laws of the State, or of the ordinances of the Mayor and Aldermen of the town of Mason within the limits of said corporation.

Mayor to give bond.

Jurisdict etc.

SEC. 48. *Be it further enacted*, That every law or ordinance passed by the Board of Aldermen, shall, before it goes into effect, receive the approval and sign-

ture of the Mayor; and if he disapproves any law or ordinance passed by the Board of Aldermen, he shall return the same, with his objections in writing, to the next meeting of the Board, and no law or ordinance vetoed by the Mayor, shall go into effect unless the same shall again be passed by two-thirds of the Aldermen elected.

Ordinances to be signed by Mayor.

SEC. 49. *Be it further enacted,* That the town Constable shall have full power and authority to collect all fines, forfeitures and costs which may be imposed upon any person or persons for any violation of the by-laws or ordinances of said corporation; and shall have the same power and authority in the collection of the same any where in the county of Tipton, as are now had and enjoyed by any of the civil officers for said county; he shall also collect all taxes that may be assessed by the board; and he shall give his official receipt for all such taxes to the tax-payers, and shall have the same right to collect by process of law, as are now allowed the Collectors of County and State tax, and shall be governed by the same laws governing such Tax Collectors, and he shall pay all such public moneys when collected, to the Mayor, and take his receipt for the same; he shall have further power and authority to arrest any person or persons charged with a violation of the by-laws of said corporation anywhere in said county of Tipton, and bring them before the Mayor, to answer the penalties imposed by the Board of Mayor and Aldermen of said town for the violation of their by-laws; he shall also perform such other dututies as may be provided by ordinance.

Town Constable, Taxes, etc.

To pay over money.

Arrests.

SEC. 50. *Be it further enacted,* That this Act shall take effect from and after passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 26, 1869.

CHAPTER LXI.

AN ACT to authorize L. M. & J. M. Renfro to construct and build a Turnpike Road in Cumberland County, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That L. M. Renfro and J. M. Renfro, be, and they are hereby, authorized to construct and build a turnpike road, commencing at Crossville, in Cumberland county, and intersecting Grove and Gibson's turnpike near Samuel Moore's old place in said county, a distance of (7) seven miles, *Provided*, said company shall erect and keep in repair a suitable bridge across Byrd's Creek, where said road crosses the same, within [all] respects subject to the same restrictions and liabilities, and entitled to all the powers and privileges granted to and governing Snodgrass & Co., by An Act of the General Assembly passed 27th February, 1866, known as the Thos. Snodgrass Turnpike Company, except that the Commissioners shall be appointed and qualified by the County Court of Cumberland county, with full power to remove [and] appoint others when the public good shall require.

Location.

Rights and privileges.

SEC. 2. *Be it further enacted*, That as soon as said road and bridge are completed as provided in the first section of this Act, the said L. M. Renfro and J. M. Renfro shall be authorized to erect one toll-gate, and to charge all persons and collect toll as follows: for each horse, mare and mule, five cents; for each vehicle drawn by more than two animals, thirty cents; for each one horse buggy, twenty cents; for each head of cattle, two cents; for each head of horses, one cent; for each head of sheep, one-half of one cent.

Gate and rate of toll.

SEC. 3. *Be it further enacted*, That the citizens of Cumberland county shall be exempt from toll on said road when going to church, mill, court or blacksmith shop.

Exempt.

SEC. 4. *Be it further enacted*, That Henry Duncan, J. S. Mulloy, Alfred Grooves, M. Cummings, Isaac Grooves, and H. C. McQueady, and all persons who may become stockholders, be, and they are hereby, constituted a body corporate and politic, by the name and style of the Cross Plains & Mitchellsville Turnpike Company, for the purpose of constructing a turnpike road leading from the terminus of the Louisville and Nashville turnpike at the State Line, to Mitchellsville

Cross Plains & Mitch'lville Turnpike Co.

Station, on the L. & N. Railroad. Said company shall by this corporate name, have power to transact all necessary business in prosecuting the objects of this corporation to a successful issue; that the capital stock shall consist of such an amount as may be found necessary to build said road, erect a toll-gate, purchase a site for the same; each share to entitle the owner thereof to one vote in the management of the affairs of said company; that such subscriptions may be paid in work or other services as may be determined by a Board of five Directors, to be chosen at such times and places, and to serve such a length of time as may be determined by said stockholders; that said company shall have three years to commence said work, and three years thereafter to complete the same; that they have succession for ninety-nine years; that said road shall be graded fourteen feet in width; the first coat of rock or grade twelve feet in width, the second coat eight feet in width, and of sufficient thickness to sustain the travel; that said company shall be entitled to one gate at such point as the Board of Directors may select,; that said turnpike company be entitled to all the privileges and immunities, and subject to all liabilities not inconsistent herewith, to which similar corporations generally are entitled; that said company be allowed to charge the same rates of toll as similar corporations.

Rights, powers and privileges.

SEC. 5. *Be it further enacted*, That the Shelbyville, Richmond & Petersburg Turnpike Company be allowed the privilege of erecting an additional toll-gate on their road; collect half the fare at said gate that is collected at other gates on said road.

Shelby., Rich. & Petersburg Turnpike Co.

SEC. 6. *Be it further enacted*, That the Western & Montgomery Turnpike Company, the Rutledge Turnpike Company, the French Broad River Turnpike Company, shall have the right to erect a toll-gate at some point not one and a half miles from Knoxville, and to collect toll at said gates, as provided for in their respective charters.

Toll gate near Knoxville.

SEC. 7. *Be it further enacted*, That section first of An Act entitled, An Act to amend the Charter of the White's Creek Turnpike Road, and for other purposes, passed May 24, 1866, be so amended or construed as to prohibit said turnpike company from charging tolls at the toll gate located nearest to the city of Nashville, to all persons or vehicles passing said gate, going or

White's Creek Turnpike Co.

crossing upon the Louisville & Nashville Branch Turnpike.

SEC. 8. *Be it further enacted*, That John P. Steele, Benjamin Whitworth, James Claxton, R. D. Rankin, and A. D. Fugett, be, and they are hereby, constituted a body politic and corporate, under the name and style of the Bellbuckle & Unionville Turnpike Company, with the power and for the purpose of building a turnpike road from Bellbuckle on the Nashville and Chattanooga Railroad, to Unionville, Bedford county, or to the Shelbyville, Unionville & Eaglesville turnpike, at a point agreed upon by the incorporators. Bellebuckle & Unionville Turnpike Co.

SEC. 9. *Be it further enacted*, That when said company shall complete said road from Bellbuckle to the Shelbyville & Murfreesboro turnpike, a distance of about five miles, they shall be allowed to erect a toll-gate and collect toll. Toll gate.

SEC. 10. *Be it further enacted*, That said Bellbuckle & Unionville Turnpike Company shall be entitled to all the rights and privileges, pains and penalties, and of the same class, of the Shelbyville, Farmington & Lewisburg Turnpike Company. Rights, privileges, etc.

SEC. 11. *Be it further enacted*, That Travis Winham, George E. Purvis, J. O. Griffith, Albert Roberts, Ira P. Jones, George E. Grisham, S. C. Mercer, and such others as they may associate with them, in this State or elsewhere, are hereby created a body corporate, under the name of the Southwestern Press Association, with all the powers and rights usual to corporations under the laws of the land; such as to sue and be sued; to purchase and sell property, real and personal; to make and enforce contracts with individuals or other Associations or corporations; to establish regulations and by-laws, and to do all things in their corporate capacity that may be deemed necessary to carry on the business of said Association. South-West'n Press Assoc'n

SEC. 12. *Be it further enacted*, That the purpose of the said Association shall be to procure intelligence for the newspaper press from all parts of the world, by telegraph or otherwise, and to this end only are invested with corporate powers which, in no case, shall be exercised in violation of the Constitution and laws of this State or of the United States. Purposes.

SEC. 13. *Be it further enacted*, That the capital stock of said Southwestern Press Association shall not exceed twenty-five thousand dollars, and may be di- Capital Stock.

vided into shares of such amount as the corporators herein named may deem proper, to be fixed in the by-laws of said Association.

By-Laws.

SEC. 14. *Be it further enacted*, That so soon as the by-laws of said Association shall be framed and adopted, it may proceed in the business for which it is created.

Irish Literary Association of Memphis.

SEC. 15. *Be it further enacted*, That John Loague, James Flaherty, John Lilley, P. S. Mitchell, Michael Gavin, James Reilly, M. McGinney, Jr., W. Brown, and their associates and successors, be, and they are hereby, created a body politic and corporate by the name of the Irish Literary Association, of Memphis, with all the powers and privileges conferred on the Webster Polemic and Literary Society in Weakley County, passed January 31st, 1868.

Shelbyville & Thomp'ns Cr. Turnpike Co.

SEC. 16. *Be it further enacted*, That An Act passed ———, entitled "An Act to charter the Shelbyville & Thompson's Creek Turnpike Company," be, and the same is hereby, revived, with the additional names of Joseph Ramsey, John H. Wells and W. G. Cowan, as Commissioners, with all the rights and privileges, pains and penalties, of the Shelbyville, Unionville & Eaglesville Turnpike Company, chartered.

SEC. 17. *Be it further enacted*, That all laws and parts of laws in conflict with the above Act, is hereby repealed.

Wautauga Turnpike Co

SEC. 18. *Be it further enacted*, That the Wautauga Turnpike charter be so amended as to extend its road from Taylorsville to the North Carolina line at Paine Gap, by way of Ford's creek, in Johnson County.

SEC. 19. *Be it further enacted*, That the appropriation now made to the Wautauga Turnpike Company be equally divided and to be expended on each end of said road.

Tenn. Agric'l and Mech ical Association.

SEC. 20. *Be it further enacted*, That section 16, of An Act entitled, "An Act to incorporate the Tennessee Agricultural and Mechanical Association," passed February 23, 1869, be so amended as to read five hundred instead of five thousand shares.

Alex., Carth'e & Red Spr'gs Turnpike Co.

SEC. 21. *Be it further enacted*, That the gates on the Alexandria, Carthage & Red Springs Turnpike Road shall be thrown open, and no pikeage collected until said turnpike road is placed in the condition the charter requires before taking toll.

SEC. 22. *Be it further enacted*, That Fremorton

Young, R. K. Byrd, and Hugh Martin, their associates and assigns be, and they are hereby created and constituted a body corporate and politic, to be known by the name and style of the Kingston Shoe and Leather Manufacturing Company, and by that name shall have succession for ninety-nine years; shall be competent to sue and be sued in courts of law and equity, whatsoever in this State; to have and use a common seal; to alter or change the same at pleasure; to establish and change any by-laws for the government of said Company; to purchase, hold and dispose of such real estate, lease, hold water privilege, steam power, machinery, patent right and personal property, as may be necessary for the legitimate operations of their business; to issue such number of shares in the stock of said Company as may be ordered by a vote of the Company, to determine the par value of said shares; to have the right to assign or pay in shares of the stock of the Company for such real estate or interest therein, or pay in the same for lease, hold real estate, or for patent right or interest therein for such machinery as may be deemed necessary to purchase or lease for the operation of the works and business of said Company, and generally to have and exercise all the rights and privileges incident to corporations; said Company is hereby further granted the privilege of diverting and applying any of its capital from the main branch of manufactory hereinbefore specified to any division of the same, or any other class of manufacture, with all the privileges and immunities granted and guaranteed to the said Shoe and Leather Manufacturing Company, without forfeiting, surrendering, releasing or impairing the said powers, privileges and immunities, if deemed advisable by a vote of said Company.

Kingst'n Shoe and Leather Manuf'g Co.

Gen'l rights, powers and privileges.

SEC. 23. *Be it further enacted*, That nothing herein granted is to be construed as to grant said Company the right to issue notes or bills of credit, but the same is hereby expressly prohibited.

SEC. 24. *Be it further enacted*, That whenever said Company shall have invested the sum of twenty-five thousand dollars capital stock, either in cash or real estate, machinery, or other material for manufacturing purposes, as aforesaid in the 22d section of this Act; they may organize for the transaction of business by electing a President and other officers as they may

Organization.

deem necessary for the transaction of business of said Company, each share shall be entitled to one vote.

Capital Stock

SEC. 25. *Be it further enacted*, That said Shoe and Leather Manufacturing Company may increase their capital stock from time to time as they may deem necessary to carry on their business, to an amount not to exceed one hundred and fifty thousand dollars.

Fall Branch, etc.

SEC. 26. *Be it further enacted*, That section 47 of An Act entitled "An Act to incorporate the Tennessee Pacific Railroad Company, and for other purposes, passed May 24, 1866," be so amended as to read Fall Branch instead of Ready Creek in the sixth line, and Fall Branch instead of Ready Creek Camp Ground in the eighth line, and Washington instead of Sullivan in the ninth line of said 47th section of said Act.

Elk River Manuf'g Co.

SEC. 27. *Be it further enacted*, That John C. Patterson, J. W. Young, Dr. J. L. Sherill, A. M. Wilson, Dr. C. B. McGuire, Neil McCullum, Henry Rowe, I. J. Nelson, their associates and successors, are hereby constituted a body politic and corporate, by the name and style of the Elk River Manufacturing Company, and are hereby vested with all the rights, powers, privileges and immunities in regard to the business of procuring and manfacturing all kinds of cloth, flour and meal, and vending the same as is conferred by the Pulaski Manufacturing Company in regard to its business.

Big Sandy Turnpike Co.

SEC. 28. *Be it further enacted*, That a charter of incorporation is hereby granted to Calvin Bushing, of Henry county, to build a bridge and construct a turnpike across Big Sandy Run, where the road crosses the same leading from Paris, Henry county, to Camden, Benton county, to be known as the Big Sandy Turnpike and Toll-Bridge Company, and that the same shall have succession and be in force for ninety-nine years.

Rates of toll.

SEC. 29. *Be it further enacted*, That this Company shall be authorized to charge and collect the following tolls, to-wit: Six horse or mule wagon, one dollar; four horse or mule wagon, seventy-five cents; two horse pleasure carriage, seventy-five cents; two horse wagons, fifty cents; horse and buggy, fifty cents; man and horse, twenty-five cents; footman five cents; horses, mules and cattle in droves, three cents per head; hogs and sheep in droves, one and a half cents.

Privileges, etc

SEC. 30. *Be it further enacted*, That this charter continues all the powers and privileges, and all the liabilities and requirements, as set forth in the Code, article 4,

defining the general provisions in relation to private corporations.

SEC. 31. *Be it further enacted*, That the Hart Turnpike Road leading from near George Beal's in Bledsoe county, Tennessee, terminate at the eastern base instead of western base of Walden's Ridge, and shall have all the rights and privileges of, and subject to all the restrictions of the Kinka Turnpike Company. Hart Turnpike Road.

SEC. 32. *Be it further enacted*, That there be and is hereby created a body politic and corporate, to be known in law as the Worley Furnace Company, with John M. Nash, A. F. Goodhue, J. C. McCrory, John Trenbath and A. B. Paine, as Commissioners, with all the powers and privileges, and subject to the pains and penalties the same as is granted and empowered upon the Tennessee Manufacturing Company, passed the 19th of February, 1869. Worley Furnace Co.

SEC. 33. *Be it further enacted*, That H. G. Scovel, J. J. Martin, A. Kimbro, A. B. Shankland, Joseph Shackelford, W. H. Wallace, H. Huff, D. H. Selph, Joseph F. Fletcher, Matt. Philips, M. C. Jordan, Joseph E. Carter, J. M. D. Cate, L. H. Bethel and H. Jamison, and their successors in office be, and the same are hereby constituted a body politic and corporate by the name and style of the Baptist Education Society of Tennessee. Baptist Education Soci'ty

SEC. 34. *Be it further enacted*, That the said body politic shall have power in law to sue and be sued, plead and be impleaded, defend and be defended in all courts and places whatsoever; also to receive by gift, purchase or otherwise, for educational purposes, any sum which to them may be donated, and enjoy all the privileges usually enjoyed by such incorporations for educational purposes only. Legal powers

SEC. 35. *Be it further enacted*, That the rates of toll on the Guall's Turnpike, shall be as follows: One horse wagon, twenty-five cents; two horse wagon, fifty cents; four horse, seventy-five cents; six horse wagon, one dollar; cart, thirty-five cents; one horse pleasure carriage, fifty cents; two horse pleasure carriage, one dollar; man and horse, fifteen cents; led horse, five cents; horses or mules in a drove, three cents; each head cattle, three cents; each head of hogs or sheep, one cent. Guall's Turnpike. Rates of toll.

SEC. 36. *Be it further enacted*, That Austin Powell, John Blackwell, Hugh Thompson, Grant J. Allen, Sam'l McLean, Robert C. Ewing, Wm. M. Robertson, Johnson J. Elliott, David Collins, Thos. L. Gentry, Joseph B. Boyd, and they are hereby appointed as Commis- Lewisburg Verona & Caney Spri'gs Turnpike Co.

sioners to open books of subscription for stock in a turnpike road, for the purpose of building a turnpike road from Lewisburg by the way of Verona, Caney Springs, to some point on the Farmington and Fayetteville Turnpike, not exceeding two miles south of Holt's corner, to be styled the Lewisburg, Verona and Caney Spring Turnpike Company, with a capital not exceeding forty thousand dollars.

Powers, privileges, etc.

SEC. 37. *Be it further enacted*, That said Company shall have all the rights, powers and privileges and be subject to all the requirements, liabilities and obligations of the Shelbyville, Farmington and Lewisburg Turnpike Company. The Commissioners shall call a meeting at ———, when a President and a Board of seven Directors shall be elected, five of whom shall be competent to do business, with the President as chairman, at all meeetings, all to be elected by the stockholders of the Company.

Gallatin created the 20th Civil District.

SEC. 38. *Be it further enacted*, That the town of Gallatin in the county of Sumner as the same is now laid out and extends, including all additions thereto prior to the 13th March, 1868, be, and the same is hereby created for all purposes a new Civil District, No. 20, of said county. and so much of the 5th, 6th, 11th and 12th Civil Districts of said county as is now in said limits of said town is hereby ceded to the said 20th District, and the Commissioner of Registration of said county is hereby directed to open and hold an election in said 20th District to fill the several offices thereof according to law.

Board of Aldermen.

SEC. 39. *Be it further enacted*, That the Board of Aldermen for the town of Gallatin, shall, at their first regular meeting after the passage of this Act, elect from among their number, a suitable person as President of the Board, who shall preside at all their meetings, and who shall act as Mayor in the temporary absence of said officer.

Eligibility to office.

SEC. 40. *Be it further enacted*, That no person shall be eligible to any office, either elected or appointed in said town, unless they shall have been a *bona fide* resident of said town for not less than two years previous thereto.

Wilkinson Cross Road Turnpike Co.

SEC. 41. *Be it further enacted*, That the stockholders of the Wilkinson Cross Roads Turnpike Company, may hold their annual election for Directors, on the second Monday of April, 1869, and annually thereafter on the same day, and all laws in conflict with this Act are repealed.

SEC. 42. *Be it further enacted*, That section 33 of An Act passed February 15, 1869, entitled An Act to incorporate the Wilson County Agricultural and Mechanical Association, and for other purposes, be so amended as to include the names of L. J. Dupre, J. R. Chalmers and J. B. Bingham. Wilson Co'ty Agr. & Mech. Association.

SEC. 43. *Be it further enacted*, That George W. Knight, W. D. Fulton, John Overton, Thompson Anderson and Samuel J. Knight, all of Tennessee, and their associates, successors and assigns be, and they are hereby, created a body politic and incorporate, by the name and style of "Excelsior Brick and Building Company," and by that name and style shall have succession for ninety-nine years, with power to contract and be contracted with; sue and be sued; plead and be impleaded; and to have and use a common seal; to engage in the manufacture of brick and the erection of buildings; to take and hold real estate in fee or for a limited term of years, and to transfer, and by deed or lease, to convey the same or any part or interest therein; to have, use, and enjoy such personal property as may be necessary in the operations of the Company, and to have all other powers needful and proper for the successful prosecution of their business, and for the execution of the power herein granted. Excelsior Brick & Buillding Co. Purposes and powers.

SEC. 44. *Be it further enacted*, That the Company may organize by the appointment of such officers and managers as they may deem necessary, at such times and places as they may designate by notice previously given, and when so organized, the said Company shall have power to make such laws, rules and regulations as they may deem necessary, from time to time, for the government and prosecution of the business of said Company, not inconsistent with the Constitution and laws of the United States and of the State of Tennessee. Organization.

SEC. 45. *Be it further enacted*, That the capital stock of said Company shall be two hundred thousand dollars, and said Company shall have power to diminish the same from time to time as they may determine, and may divide said capital stock into shares of such value as they may determine after their organization. Capital Stock

SEC. 46. *Be it further enacted*, That if any subscriber for stock shall fail to pay the amount subscribed in such manner as shall be prescribed by the by-laws, the same may be recovered by action of debt in any Failure to pay subscriptions

court having jurisdiction, or such stock may be sold and declared forfeited by the Company on such terms as the Board of Directors or managing Board shall determine and prescribe.

SEC. 47. *Be it further enacted*, That nothing in this Act shall be so construed as to grant the right of banking privileges in any manner.

Taxes, etc.

SEC. 48. *Be it further enacted*, That this corporation shall be subject to such taxes as may be imposed upon similar manufacturing corporations in this State.

SEC. 49. *Be it further enacted*, That A. Cronna, H. A. Montgomery, Frank Taft, George C. Holmes, John S. Clayton, Davis Cockrill, John M. Lea, Sam. Jones, W. T. Avery, be and they are hereby appointed Commissioners to open books for the purpose of receiving subscription to the amount of one hundred thousand dollars, to be applied to the making of a turnpike road from Memphis, Tennessee, to White Station, on the Memphis and Charleston Railroad, or as far beyond as the proprietors may deem practicable, upon the bed of the old Germantown Plank Road, in Shelby County, the original charter of said road having been declared forfeited by the Circuit Court of Shelby County. Said sum of one hundred thousand dollars shall be divided into shares of twenty-five dollars each, and the subscription shall be by person or by attorney. So soon as ten thousand dollars shall have been subscribed a meeting of the subscribers shall be held at Memphis, of which meeting the managers of the subscription shall give twenty days' notice in some two or more newspapers published in the city of Memphis, and the subscribers from and after their first meeting shall be and are hereby constituted a body politic and corporate by the name of the Shelby County Turnpike Company, and shall sue and be sued, plead and be impleaded, sell, purchase, and have a common seal. The books for receiving said subscription shall be opened at such times and places as said Commissioners may direct, until the whole of said sum, or a sufficient portion thereof, to complete said road, shall be subscribed. After the election of a President and Directors, the duties here imposed on said Commissioners shall cease. The subscribers, or a majority of them, representing a majority of stock so subscribed, who shall be present at the first meeting, shall elect seven Directors, being stockholders, who shall elect a President, if the Board of Directors thus chosen shall continue in office one year and until another election shall take place.

Turnpike fr'm Memphis to White Station

Shares.

First meeting etc.

Books, etc.

Directors.

SEC. 50. *Be it further enacted*, That the President

and Directors thus chosen shall have power to make contracts for the making of said road, and for the performing of such other work thereon as they may think necessary, to require from time to time of the subscribers such advances on their respective shares as the wants of said Company may require and demand, until the whole subscription shall be advanced; *Provided*, that no call shall be made for more than five dollars at one time on such share, of which twenty days' notice in some two or more newspapers printed in Memphis. Said Directors shall have power at any time to call a general meeting of the subscribers, giving twenty days' notice in some two or more newspapers printed in Memphis, to appoint such officers as they may deem necessary, to fix their compensation, to sign and settle all accounts, and to transact all the business of said Company during intervals between the general meetings.

Powers of Board.

Called meeting, etc.

SEC. 51. *Be it further enacted*, That if any subscriber shall fail to pay the amount of his call upon each share within thirty days after the same shall have been advertised, as required in the preceding section. it shall be lawful for the President and Directors to sell at auction and convey to the purchaser the share or shares of such subscriber so failing to pay, and after recovering the sum due, with the cost of said road, to pay over the surplus, if any, to the former owner of such share or shares, and if the sale shall not produce the sum to be advanced, with interest and incidental charges, it shall be lawful for the Company to recover the balance of the original proprietor, by warrant before any Justice of the Peace in the county where the delinquent resides, or in any court of competent jurisdiction, and there shall be no appeal or stay of execution allowed. All persons purchasing under the sale of the President and Directors shall be subject to the same rules, regulations, restrictions and penalties as the original proprietor.

Failure to pay stock.

May sell same.

SEC. 52. *Be it further enacted*, That the President and Directors, or any five of them, shall be sufficient to transact ordinary business, and all vacancies which shall happen in the office of President and Directors before a regular meeting of the shareholders, shall be supplied by remaining Directors, two-thirds of the whole number being present. The Clerk or Secretary of the Company shall keep a regular journal of all the proceedings. It shall be the duty of the President and Directors to furnish printed certificates, stating the number of shares held by each subscriber, which certificate shall be assignable, and upon such assignment be entered in a book

Vacancies.

Certificates.

kept for the purpose by the Company. The assignee shall become a member of the Company.

Land.

SEC. 53. *Be it further enacted*, That it shall be lawful for the President and Directors to purchase for the use of the company, any quantity of land not exceeding five acres, for the use of the company, adjacent to each toll-gate that shall be established upon said road and take conveyance therefor.

Annual meeting.

SEC. 54. *Be it further enacted*, That an annual meeting of the stockholders shall be held at Memphis on the first Monday of April each and every year, to constitute which meeting, the presence of the proprietors holding at least three hundred shares shall be necessary, and if a sufficient number do not attend on that day, such proprietors as do attend, may adjourn from day to day, until a meeting may be had. In casting votes, each member shall be allowed one vote, as far as ten shares, and one vote for every five shares above ten held by him at the time in the company. The Directors shall render fair and distinct accounts of their proceedings, and of all disbursements of money to each annual meeting of the subscribers, previous to the election of Directors for the ensuing year. The said road shall be opened at such width as shall be hereafter adopted by the Directors, subject to the approval of the County Commissioners of Shelby county, and shall be substantially covered with stone, wood, gravel, sand or charcoal, or any other substance such as will constitute a good and sufficient turnpike, and shall be completed in a faithful and substantial turnpike road manner. When the road shall be thus finished and completed fourteen miles from the point on the old Germantown Plank Road, where the first toll-gate out from Memphis was erected, the President and Directors may apply to the County Commissioners of Shelby county, to appoint three competent persons, not being stockholders, to view and examine said road, and on the report of said viewers, or any two of them, that the road has been finished and completed for the distance aforesaid, according to the intent of this Act, it shall be the duty of the Board of Commissioners of Shelby county to issue a certificate, authorizing the President and Directors to erect a toll-gate at the said point, where the old toll-gate on said old plank road stood; and when the road shall have been thus completed as far out as where the second toll [gate] on said old road stood, then

Character of road.

Viewers, etc.

May erect gates.

another gate may be erected under the same rules, regulations and restrictions as those by which the first gate was opened, and so on for any other gate that may be opened on said road, at the old places where the gates were opened on the said old Germantown Plank Road, or as near thereto as convenient, and to appoint as many toll gatherers to collect the tolls hereinafter allowed; that is to say, for every twenty head of sheep, five cents; for every twenty head of hogs, five cents; for every twenty head of cattle, ten cents; for every three loose horses or mules, five cents, and so on in proportion for a larger number of said animals; a less number free; for every pleasure carriage drawn by one horse or other animal, ten cents; for every pleasure carriage drawn by two horses or other animals, fifteen cents; for every pleasure carriage drawn by four or more horses or other animals, twenty cents; for every loaded wagon drawn by one or two horses or other animals, ten cents; for every loaded cart, five cents; for every man and horse or mule, five cents; for every empty wagon drawn by one or two horses or other animals, five cents; for every loaded wagon drawn by four or more horses or other animals, twenty-five cents; for every empty wagon drawn by three or more horses or other animals, ten cents; *Provided*, that the above rates of toll may [be] increased at the discretion of the County Commissioners, if in their judgment the same shall not [be] remunerative. So soon as said road shall be completed as aforesaid, a majority of the stockholders may order the net profits from tolls hereby granted, to be divided half yearly, among the proprietors of said company in proportion to their respective shares. Should any person refuse to pay the toll hereby granted at the time of offering to pass, the toll gatherer may refuse to such person, passage, and if any article or thing liable to toll shall by any means pass without payment thereof, on demand made and refusal to pay, the toll gatherer may, by warrant before a Justice of the Peace, in the name of the company, recover from the person liable for such toll, the sum of $5 for the use of the company.

Rates of toll.

Dividends.

Refusal to pay toll.

SEC. 55. *Be it further enacted*, That if said Company shall not begin said road within two years after said Company shall have been formed, or shall have not completed said road at least seven miles from Memphis within five years thereafter in the manner herein direc-

ted; or shall permit the same or any part thereof to remain for the space of three months ruinous and out of repair, then this charter shall be forfeited, and all rights and privileges acquired under it shall forever close.

Forfeiture of Charter.

SEC. 56. *Be it further enacted*, That stock to said road may be subscribed in land situate on the line of said road, to be received at such valuation as may be agreed upon between the parties subscribing and the original Commissioners, if said subscription be made before the organization of the Company, or by the Board of Directors, if made after the organization of the Company; *Provided*, that in the discretion of the Commissioners or the Board, it be deemed best, and that said land so subscribed, as well as the stock in said road be exempt from taxation for ten years after the completion of said road.

Stock may be paid in land.

Taxes, etc.

SEC. 57. *Be it further enacted*, That William H. Boyd, Parsons W. Moss, Jno. B. Gray, Samuel F. Glass, Philip F. Cook, Joseph Scruggs, Constantine W. Davis, Andrew J. Davis, Richard L. Andrews, William S. Reed and Wm. S. Campbell, of the county of Williamson be, and they are hereby appointed Commissioners to open books at any time and place they may choose, for the purpose of receiving subscriptions for stock to be applied in constructing a McAdamized turnpike road from Franklin to the bridge on West Harpeth River, at or near Boyd's mill.

Franklin & West Harpeth Turnpike Co.

SEC. 58. *Be it further enacted*, That the capital stock of said Company shall be sufficient in amount to construct said road, not to exceed the sum of twenty-five thousand dollars.

Capital Stock

SEC. 59. *Be it further enacted*, That as soon as the sum of six thousand dollars is subscribed for of said stock, a meeting of the subscribers shall be held at Franklin, of the time and place of which meeting said Company, or at least three of said Commissioners shall give ten days' notice by advertisement in some newspaper published in the town of Franklin, and after the first meeting shall have been held, the said parties named in the first section of this Act are hereby constituted a body politic and corporate by the name of the Franklin and West Harpeth Turnpike Company, and shall so continue: and as such may sue and be sued, plead and be impleaded, answer and be answered, sell and purchase, have a common seal, and do any and all acts necessary to carry out the full objects of said Company.

First meeting

Legal rights.

SEC. 60. *Be it further enacted*, That persons may

subsequently subscribe for stock in said road, to be paid in money or in labor in constructing said road. If in labor, he or they shall designate the part or distance to be so constructed by him or them, which part so designated shall be constructed in a good and substantial manner, and according to the requirements of the charter. Stock payable in money or labor.

SEC. 61. *Be it further enacted*, That at the first meeting of said Commissioners and subscribers, they shall elect seven out of their number as Directors of said Company, who shall appoint one [of] their body President of the Board, who shall hold their office for one year, and until their successors are elected. The President and Directors shall have power to designate the times and places of meeting, and appoint such officers and agents as may be necessary to transact the business of the Company and to prescribe their duties and fix their salaries; and ten days' notice shall be given in some newspaper published in Franklin of the time and place of holding the elections for Directors of said Company. Directors, election, etc. Powers, etc.

SEC. 62. *Be it further enacted*, That the President and Directors of said Company may, either by themselves or some competent person or persons appointed by them, mark, lay out and locate said road, commencing at the corporate limits at the town of Franklin and running west or westwardly on the bed of the public road now leading from Franklin to the bridge on West Harpeth River, at or near Boyd's mills, with such divergence only from the bed of said road as they the said President and Directors, with the approval and consent of the stockholders of said Company may deem best to select. Location.

SEC. 63. *Be it further enacted*, That the President and Directors shall have power to let out and put under contract the building of said turnpike road, in parcels great or small, as they may think best, to contractors, for money or for stock in said company. Put under contract.

SEC. 64. *Be it further enacted*, That said road shall be opened twenty-five feet wide, and the President and Directors shall cause said road to be graded twenty feet wide, within five degrees of a level, and covered with fine beaten stone or gravel sixteen feet wide, not less than ten inches deep in the center, lessening gradually to six inches deep at each edge of the said sixteen feet, with suitable ditches or drains on each side sufficient to drain said road. Character of road.

SEC. 65. *Be it further enacted*, That whenever said

road shall have been completed for four miles, commencing at the corporate limits of the town of Franklin, the said company shall have power to erect one toll-gate; *Provided*, that no gate shall be erected nearer than one mile of the corporate limits of said town.

Toll gate.

SEC. 66. *Be it further enacted*, That when said part of said road, as shall be built by stockholders so subscribing to build so much of said road in work, the President and Directors shall endeavor to fix upon the value of the work done upon said road by said stockholders or contractors. And if the President and Directors and said stockholders or contractors cannot agree as to the value of the work so done on the road, then three freeholders shall be appointed by the President and Directors, and two freeholders by the said stockholders or contractors, all of whom shall be unconnected with the parties; which said freeholders, as valuers, shall proceed to value the work so done, and their valuation shall be placed upon the books of the company, and constitute so much stock in said turnpike road, belonging to said stockholders or contractors, or their assigns; and said company shall issue certificates of stock to such stockholders or contractors to the amount of the valuation aforesaid.

Valuation of work.

Stock.

SEC. 67. *Be it further enacted*, That said company when formed, shall have all the powers, privileges, rights and immunities, and be subject to the same regulations and restrictions, given by law to the Nolensville Turnpike Company and the Franklin & Carter's Creek Turnpike Company, which are not inconsistent with the provisions of this charter, except that the State of Tennessee shall not be liable for any portion of the stock of said company.

Powers, privileges and immunities.

SEC. 68. *Be it further enacted*, That said company may demand and receive the same tolls that the Nolensville turnpike company are allowed by law to receive.

Tolls.

SEC. 69. *Be it further enacted*, That the rights, powers, privileges and immunities granted in this Act, shall continue to said stockholders and their successors, their heirs and assigns, for and during the term of ninety-nine years.

Time to run.

SEC. 70. *Be it further enacted*, That said company are allowed six months from and after the passage of this Act in which to begin the work on said road, and

Time to begin and complete work.

are allowed two years from the passage of this Act in which to complete said turnpike road.

SEC. 71. *Be it further enacted*, That not more than two shares of stock from each stockholder shall be called for at any one time, of which call ten days notice shall be given, and if any stockholder shall fail to pay any call his stock may be sold by order of the Directors for the amount of the call or calls that may be due, and the purchaser thereof shall have all the rights and shall be subject to all the liabilities of the original subscribers; and if such share or shares do not bring one hundred cents on the dollar, the original holder shall be liable to suit for the balance, and it shall be the duty of the President of the Board to cause suit to be forthwith instituted for the collection of said balance under the penalty of himself being personally liable therefor, unless ordered by the Board not to institute such suit.

Failure to pay calls.

May sell Shares.

SEC. 72. *Be it further enacted*, That nothing in this Act shall be so construed as to give State aid or change any appropriation from one company to another. This Act to take effect from and after its passage.

State aid.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 27, 1869.

CHAPTER LXII.

AN ACT to incorporate the Lewisburgh, Caney Springs & Spring Hill Railroad Company, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John M. Knight, Austin Powell, H. G. Baker, Robert G. McClure, James H. Lewis, James V. Ewing, Samuel M. Rodgers, William S. Hurt, be appointed Directors of the Lewisburgh, Caney Springs & Spring Hill Railroad Company; and they are hereby constituted a body politic and corporate, any seven of which shall constitute a Board to do the business of the company. They shall

Directors and other officers.

hold their office one year, and until their successors are elected and qualified under this Act; and at their first regular election shall elect a President from among their own Board, and also there shall be elected from among the stockholders all other minor officers necessary to put in operation and carry out the powers contained in this Act.

May condemn property.

SEC. 2. *Be it further enacted*, That the said President and Directors shall have power to purchase or condemn any real estate and building material along the line of said road to construct the same, and for all other necessary purposes of said road according to the Internal Improvement Act of February 11, 1852.

Capital Stock

SEC. 3. *Be it further enacted*, That the amount of the capital stock of said company shall be six hundred thousand dollars, which may be increased to seven hundred and fifty thousand dollars, if necessary to carry out the provisions of this Act.

Subscription books, meeting, etc.

SEC. 4. *Be it further enacted*, That said company be, and they are hereby authorized to open books to receive subscription for stock in said road of shares of such an amount as said directors may think proper from the time of the passage of this Act until the 1st day of June next, and meet at Caney springs, in Marshall County, on the second Saturday of June, 1869, and when the amount of fifty thousand dollars is subscribed, the Company is hereby authorized to proceed with the business of said road.

Marshall County may issue bonds, etc.

SEC. 5. *Be it further enacted*, That the Sheriff of Marshall County be, and he is hereby authorized to open and hold an election on the —— day of ———, 1869, at the voting places in each Civil District in said county; a majority of the voters voting for a county subscription of two hundred and fifty thousand dollars, to be appropriated to the building of said road; then the County Judge or Chairman of said county court is hereby authorized to issue the bonds of the County, with coupons attached to the amount of said subscription of two hundred and fifty thousand dollars; one-third of said bonds to be paid in fifteen years from date; one-third in twenty years, and [the] remaining third in twenty-five years.

How may be issued.

SEC. 6. *Be it further enacted*, That the above named bonds shall be issued in all particulars, and under all the restraints that govern the issuance of State bonds under the internal improvement laws of this State, passed February 11, 1852.

SEC. 7. *Be it further enacted*, That the Directors of this Company, shall be elected and appointed according to the internal improvement laws of Feb. 11, 1852, of this State.

SEC. 8. *Be it further enacted*, That An Act entitled An Act to incorporate the Memphis, Holly Springs and Mobile Railroad Company, passed March 24, 1860, and for other purposes be, and the same is hereby revived, and that the style of the said railroad company shall hereafter be known as the Memphis Holly Springs, Okalona and Selma Railroad Company, and as many of the original corporators are now dead, that Wm. R. Moore, Jas. Elver, Wm. H. White, J. W. Clapp, S. M. Gates, Jas. B Malloy, Jesse W. Page and Jno. F. Watkins, of the city of Memphis in the State of Tennessee, and C. C. White, R. Runford, A. J. Withers, A. M. Clayton, J. W. C. Watson, Jno. McQuirk, H. H. Walter, Henry E. Williamson, D. Tyree, Jno. B. Henning, R. A. Pierson, Richard Bolton, Geo. G. Reubina, F. Hodges, Jas. Britny, B. H. Shepperd, Benjamin Maury, J. J. Deavenport Jas. G. Randle, G. A. Sykes, Wm. A. Sykes, B. L. Hatch, B. R. Howard, B. M. Terrill, Josiah N. Walton, Columbus Love, Wm. S. Leon, Lock E. Houston and L. B. Moore, all of the State of Mississippi, together with those who may hereafter become stockholders, their successors, etc., shall be corporators.

Memphis, Holly Spri'gs, Okalona & Selma R.R. Co

Corporators.

SEC. 9. *Be it further enacted*, That the said company shall have sixteen years in which to construct the said railroad, and shall commence the same in three years, from and after the passage of this Act.

Time.

SEC. 10. *Be it further enacted*, That it shall and may be lawful for the said corporators to receive subscriptions in land to the capital stock of the Company, provided the said lands shall be in five miles of the line of said road, said lands shall be estimated at their cash value by three disinterested persons, to be appointed by said corporators for the purpose, and shall be taken by the road at said valuation, unless objected to as excessive, in which event there shall be an estimate by three persons appointed by the Judge of the County Court, of the county in which the lands lie, whose award shall be final; the said lands shall be conveyed to said road, with covenants of valid titles to be approved by the Directors, and the parties making the subscriptions shall pay all the costs of valuation and

Stock payable in land.

Valuation.

conveyance; he shall likewise pay ten per cent. on the amount subscribed in the same installments granted to those who subscribe for stock in money, and for the amount of said stock, both of lands and money, he shall be entitled to receive certificates of stock as in other cases.

Certificates.

SEC. 11. *Be it further enacted*, That this Act shall take effect and be in force from and after its passage; *Provided, however*, That nothing in this Act shall be so construed as to prevent the State from levying and collecting such income taxes or tax upon the travel of said road, as may be from time to time provided by law.

Taxes.

SEC. 12. *Be it further enacted*, That there is hereby created a corporation, to be styled and exist as the Shelbyville and Elkton Railroad Company, with a capital not exceeding two million dollars, to be divided into shares of twenty-five dollars, and that the following persons be appointed Commissisoners to open books of subscription for the purpose of taking stock, any two of whom may act, or any agent or majority or any five of them may appoint, to-wit: At Shelbyville—Thomas J. Roane, William G. Cannon, Newcomb Thompson, 2d, John F. Brown, and Solomon Reeves. At Richmond—John B. Furman, Thomas W. Bunts, John H. Moore, Isaac S. Davidson, and Jno. S. Brown. At Petersburg—A. A. Gun, Joseph Gun, and Nathaniel Hart. At Boon's Hill—G. W. Sawyers, Isaac R. Nelson, E. S. Wilson, and John Wood. At Elkton—Matt Wilson.

Shelbyville & Elkton R. R. Co.

Commissioners, etc.

SEC. 13. *Be it further enacted*, That said books for subscription shall be opened at such times and places, or a majority or any five of said Commissioners may designate, or their agent may see proper, and said Commissioners or agent may solicit subscriptions in any manner they may determine upon.

Subscription books.

SEC. 14. *Be it further enacted*, That when one hundred and fifty thousand dollars of stock is subscribed, they shall organize by electing nine Directors in said Company, but no person shall be a Director who does not own, *bona fide*, in his own name, five hundred dollars of stock in said Company. In said elections for Directors, each share of stock shall be entitled to one vote, and one of said Directors shall be President.

Directors.

SEC. 15. *Be it further enacted*, That said Company

shall have power and authority to build a railroad from Shelbyville, the nearest and most practicable route by or near Elkton, in Giles County, to some convenient and suitable point within the State of Tennessee, on the Nashville and Decatur Railroad. Route of road

SEC. 16. *Be it further enacted*, That said Company shall have all the powers, rights and privileges, and be subject to all the liabilities, restrictions and obligations contained in the original charter of the Nashville and Chattanooga Railroad Company as far as applicable. Rights and liabilities.

SEC. 17. *Be it further enacted*, That there is hereby created a corporation, to exist and be known as the Shelbyville, Fayetteville and Huntsville Railroad Company, with a capital of two million dollars, in shares of twenty-five dollars, and that James B. Lambe, William F. Kercheval, ———, Robert Farquharson, Moses ———, and Thomas C. Goodrich, be Commissioners, at Fayetteville, for stock in said road, and Thompson B. Ivie, Newcomb Thompson, Sr., George W. Thompson, Leroy W. W. Barrett, at Shelbyville, with all the powers conferred on the Commissioners of the Shelbyville and Elkton Railroad Company, and Shelbyville, Fayetteville and Huntsville Railroad Company, shall have power and authority to build a railroad from Shelbyville by way of Fayetteville to Huntsville, Alabama; and shall have all the powers, rights, and privileges, and be subject to all the liabilities, restrictions and obligations contained in the charter of the Shelbyville and Elkton Railroad Company so far as applicable. Shelbyville, Fayetteville & Huntsville R. R. Co. Commissioners. Powers, etc.

SEC. 18. *Be it further enacted*, That the Shelbyville, Fayetteville and Huntsville Railroad Company shall have power and authority to build their road from Murfreesboro, by way of Shelbyville and Fayetteville to Huntsville, if they can procure stock enough for the purpose, and they may unite with or consolidate with the Shelbyville and Elkton Railroad Company from Shelbyville, for such distance as they may agree upon, or if the Shelbyville, Fayetteville and Huntsville get stock enough first to build their road, the Shelbyville and Elkton Company may tap the same, at such place as may be agreed upon, as most convenient for the Shelbyville and Elkton Company. May consolidate.

SEC. 19. *Be it further enacted*, That the counties, or any of them through which any of said road may

County subscriptions.

pass, may take stock in the same, in the manner provided for in the General Internal Improvement Law of the State.

SEC. 20. *Be it further enacted*, That no State aid under the General Internal Improvement Laws of the State, shall be granted to any railroads incorporated by this Act.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 27, 1869.

CHAPTER LXIII.

AN ACT to Incorporate the Oak Hill Male and Female Academy in Lincoln County, and for other purposes.

Corporators.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That John Landers, Montgomery Bryant, E. S. N. Babo, W. F. Cole, Joel Cole, Jones B. Hudson, Hugh McKenzie, W. C. Griswell, Jeff. M. Stone and James M. Bell, be, and they are hereby incorporated a body politic by the name of the Trustees of the Oak Hill Male and Female Academy, and by that name shall have succession for ninety-nine years; have a common seal; and the said Trustees and their successors by the name aforesaid shall be capable in law to purchase, receive and hold to themselves and their successors forever any lands, tenements, goods or chattels which may be given, granted or devised to them, or purchased by them for the use and benefit of said Academy; and the said Trustees may sue and be sued, plead and be impleaded in any of the courts of law or equity in this State.

Legal powers and privileg's

Meetings to elect officers.

SEC. 2. *Be it further enacted*, That the Trustees and their successors shall have power to hold such meetings at such times and places as they may think proper, to elect of their number President and Secretary and Treasurer of said Board, and to fill vacancies when they may occur by death, resignation or otherwise; but not less than a majority of said Trustees shall constitute a Board to do business.

SEC. 3. *Be it further enacted*, That the Board of Trustees shall have power to make such rules and reg-

ulations relative to said Academy and the government thereof, and their own proceedings, as a majority may seem right and proper; *Provided*, they be not inconsistent with the Constitution and laws of the State. Make rules and regula'ns

SEC. 4. *Be it further enacted*, That the President of the Board of Trustees, with the Professors of said Academy, shall have full power to grant diplomas, and confer any honors or degrees usually given by institutions of learning. Grant Diplomas, etc.

SEC. 5. *Be it further enacted*, That An Act passed September, 1865, entitled "An Act to regulate the State Finances" be so amended that the provisions of said Act shall not apply to educational institutions in the State of Tennessee, which in good faith prior to the late civil [war] invested their funds in the bonds of the State of Tennessee; but on the maturity of any such bonds, it shall be the duty of the Comptroller of the State to pay the same in lawful currency. State bonds.

SEC. 6. *Be it further enacted*, That before the said Comptroller shall pay any of said bonds, it shall be the duty of the President and Treasurer of any institution of learning applying for the payment of any such bond or bonds, to file in the office of the said Comptroller an affidavit that said bonds *bona fide* belongeth to said institution on the 5th day of April, 1861, and that they have not been purchased by said institution since the close of the late civil war, or during its continuance; and on such proof, or other satisfactory proof being made, it shall be the duty of the Comptroller to pay the same in lawful currency out of any money in the treasury. President and Treasurer to make oath.

SEC. 7. *Be it further enacted*, That the Act incorporating the city of Knoxville in the county of Knox, and the amendments thereto, be so amended that the Mayor and Aldermen of the said city shall have power by ordinance to establish and maintain a system of Free Schools, and regulate the same so as to avoid sectarian influence; and to raise money by taxation for the purchase of lots, the erection of suitable buildings and for all expenses thereof; *Provided*, that the Superintendent of Public Instruction of the county of Knox shall sustain the same relation to the Public Schools of said city that he sustains by law to the other schools of said county. Knoxville Pub. Schools. Proviso.

SEC. 8. *Be it further enacted*, That the Mayor and Aldermen of the said city of Knoxville using the power granted by section 7, shall also have the power to extend and fix the limits of said city of Knoxville for school purposes, so as to provide for the education of all Sqhool limits.

the scholastic population within two miles of the Court House of said city of Knoxville and county of Knox, and the present members of the Boards of Education within said limits shall constitute a Board of Education for said city until the next regular election, when vacancies shall be filled in accordance with the General School Law of the State.

SEC. 9. *Be it further enacted*, That all Acts in conflict with this Act are hereby repealed.

SEC. 10. *Be it further enacted*, That the provisions of this Bill be applied to the town of Clinton, Tennessee.

Springfield Female Institute.

SEC. 11. *Be it further enacted*, That S. H. Benton, E. T. Hart, G. R. Scott, J. W. Judd, Melton Green, J. E. Garner, Asa Hopkins. Giles Connell and S. D. Ogleburn, and their successors in office, as Trustees, be, and they are hereby incorporated under the name and style of Springfield Female Institute, and by that name may sue and be sued, plead and be impleaded in any of the courts of law and equity, contract and be contracted with, pass all by-laws and ordinances necessary for the proper control and government of said Institute, to employ instructors, superintendents, agents, etc., and to have a common seal, and alter or change the same at pleasure, and have succession for thirty-three years.

Legal powers.

How govern'd

SEC. 12. *Be it further enacted*, That the said institute shall be governed by Trustees, who, and their successors in office, shall constitute a body politic and corporate, under the name aforesaid, a majority of whom shall constitute a quorum for the transaction of business, and all vacancies that may occur in their body shall be filled by the Board, at such times and upon such terms as they may hereafter prescribe in their by-laws and ordinances; they may elect from their own body a President, Secretary, Treasurer and such other officers as they may think necessary, who shall hold their office for a period of one year, and until the election and qualification of their successors.

By-Laws, etc.

Powers of Board.

SEC. 13. *Be it further enacted*, That said Board of Trustees shall have power to employ instructors, lecturers, superintendents, fix the rules and terms of tuition, prescribe the course of study, make all necessary rules and regulations for the government of said institute and its property, hold real, personal or mixed property by gift, purchase, or upon loan, and sell or exchange the same, as the interest of the Institute may require; to confer, upon general rules and regula-

tions to be by them adopted, such literary degrees and diplomas, as are usual in Academies and Colleges, and have and enjoy all the powers and privileges that are incident or necessary to corporations of this description not inconsistent with the laws of the land. Literary Degrees.

SEC. 14. *Be it further enacted*, That said Board shall have power to receive subscription of stock in said institute, in such sums, and upon such terms as said trustees may prescribe; to create and sell scholarships; to create, raise and hold an endowment invested in such manner as they may direct, and the property and assets of the Institute shall be held, governed and controlled under such by-laws and ordinances as may from time to time be enacted by said board. Endowment.

SEC. 15. *Be it further enacted*, That the signature of the President, shall be sufficient to execute an order of the Board, either for the conveyance or transfer of real or personal property, or choses in action, or to create a legal liability upon said board. Transfer of property.

SEC. 16. *Be it further enacted*, That Jerome M. Foster, M. B. Moreusi, Jesse W. Foster and M. E. Schuyler, their associates and successors be, and they are hereby constituted and appointed a body politic and corporate, in the name and style of the Tennessee Medical College, and by the same name shall sue and be sued, plead and be impleaded in all courts of law and equity; may have and use a common seal, and change the same at pleasure, and the provisions of this Act are hereby extended to said corporators; and that this Act take effect from and after its passage. Tenn. Medical College.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 27, 1869.

CHAPTER LXIV.

AN ACT to Extend and Enlarge the Corporate Limits of the Town of Camden, in the County of Benton.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the corporate limits of the town of Camden, in the county of Benton,

west from the west boundary of the present corporate limits 40 poles, so as to include the residence of Mrs. Saunders; said extension to commence at the north-
Boundary. west corner of the present limits, and run west 40 poles; thence south and east so as to include the Camden Station, on the Nashville and Northwestern Railroad, and thence north to the south-east corner of said present corporate limits.

SEC. 2. *Be it further enacted*, That all the citizens and property included in the said extension, shall be
Privileges. allowed all the privileges, and subject to all the duties of citizens of the original corporation; and that this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed February 27, 1869.

CHAPTER LXV.

AN ACT to Incorporate the Emerald Lodge, No. 377, of Free and Accepted Masons, in the County of Morgan, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Emerald Lodge, No. 377, of Free and Accepted Masons, in Wartsburg town, in the county of Morgan, be, and the same is hereby, constituted a body politic and corporate, and by the name and style of Emerald Lodge, No. 377, of Free and Accepted Masons, shall have succession for ninety-nine years; shall have a common seal, and by the name aforesaid, said corporation shall be capa-
Legal powers. ble in law to purchase, receive, hold to themselves and their successors and assigns forever, or for a less estate, any lands, tenements, goods, chattels or money, which may be given, granted or devised to them, or by them purchased, and to use, sell or dispose of the same in such manner as such Lodge may determine right and proper; and said corporation shall by their corporate name, aforesaid, sue and be sued, plead and be impleaded, in any court of law or equity in this State or elsewhere.

SEC. 2. *Be it further enacted*, That the officers of

this corporation shall be the Master of the Lodge, the Senior and Junior Wardens, and the service of process issued against said corporation upon either of said officers, shall be good and sufficient to bring said corporation before any court of law or equity in this State, and all deeds, rights, conveyances and acquittance bonds, obligations and other papers executed by said corporation, shall be signed by the Master of the Lodge and attested by the Secretary, under the corporate seal, where seal is necessary. Officers. Deeds, etc.

SEC. 3. *Be it further enacted*, That the Trustees of Union Academy, in the county of Anderson, be, and they are, hereby, authorized and directed to expend the fund now in their hands, belonging to said Academy, or so much thereof as may be necessary, to build an Academy or building, suitable for a high school, in or near the town of Clinton. Union Academy fund.

SEC. 4. *Be it further enacted*, That said Trustees be authorized to sell the lot now owned by them, and purchase one more eligible for that purpose. Lot.

SEC. 5. *Be it further enacted*, That H. B. Bonde, J. C. Rodemer, C. C. Cantrell, M. S. Elkin, B. W. Hall, M. J. Lucas, and William R. Tomkins, as the Board of Trustees, be, and they are hereby, constituted and appointed a body corporate and politic, by the name and style of the "Masonic Male High School of Gallatin," in the County of Sumner, to be under the control of King Solomon Lodge, No. 94, F. and A. M., and by the same name shall sue and be sued, plead and be impleaded in all courts of law or equity; they shall have and use a common seal, and change the same at pleasure. Masonic Male High School of Gallatin.

SEC. 6. *Be it further enacted*, That said corporation shall have all the rights, privileges, powers, and immunities, subject to the same restrictions and liabilities, as extended to the Elizabethton Masonic Female Institute, in An Act passed November 12, 1867, and contained in chapter 13, of the Private Acts of 1867-8. Rights, privileges, etc.

SEC. 7. *Be it further enacted*, That the "Rock City Lodge," No. 17, of Free and Accepted Masons, in the county of Davidson, be, and the same is hereby, incorporated and constituted a body politic and corporate under the name and style of "Rock City Lodge, No. 17, of Free and Accepted Masons, in the County of Davidson," and that said corporation Rock City Lodge, No 17, F. & A. M.

shall have and exercise all the rights, privileges, and powers, and be subject to all the pains and penalties as are conferred upon the "Alexandria Lodge, No. 75, of Free and Accepted Masons," in Alexandria town, in the county of DeKalb, by the General Assembly, on the 31st of October, 1867.

Marshall County Court may sell Academy lots.

SEC. 8. *Be it further enacted*, That the County Court of Marshall County, at its quarterly term thereof, be, and is hereby authorized to sell the Male and Female Academy lots and buildings thereon, in the town of Lewisburg, on a credit of twelve months, with approved security for the purchase money, and that the Chairman thereof is hereby authorized to make title to the purchaser or purchasers of said lots, on the payment of the purchase money; said money when collected shall be placed in the hands of the County Trustee of said county, to be by him held as an academy fund of said county, which he, the said Trustee may loan at interest, by taking note with such security as he knows to be sufficient to indemnify the payment to him or his successor when called for by said County Court, to purchase other lot or lots for County Academy purposes.

May rebuild Academies.

SEC. 9. *Be it further enacted*, That when said County Court, in their wisdom thinks proper, it shall be their duty to rebuild said academies, in or near the county seat of said county, or such other lots as they may choose to purchase. The said County Court shall have power to take additional security of the County Trustees for said academy fund, or any other academy funds that may come into the hands of the County Trustee at any time.

May retain lot.

SEC. 10. *Be it further enacted*, That if the County Court think it best for the interest of the county, they may retain the lot whereon the Male Academy is built, but the purchaser of the Academy houses shall remove the same by contract of the sale by the County Court.

Money to be retained.

SEC. 11. *Be it further enacted*, That the money raised by the sale of the foregoing academy lots and building, shall be retained by the County Court in the hands of the County Trustee of said county, for the purpose of re-building and re-establishing said county academies, or either of them on any lot or lots that the County Court may hereafter purchase, and for no other purpose.

SEC. 12. *Be it further enacted*, That W. H. Pearne, W. L. Marsh, J. H. Barnum, H. P. Maxwell, A. T. Shaw, A. M. Sperry and M. T. Ryder, their associates, successors and assigns, be, and they are hereby, created a body politic and corporate, under the name and style of "Tennessee Land Agency," and by that name and style, shall have succession for the full term of thirty years; and may contract and be contracted with; sue and be sued; plead and be impleaded, in all courts of law and equity; also, the power to acquire, enjoy and possess estate in fee or otherwise, real and personal; to lease, release, buy and sell for themselves, and for others on commission or otherwise, acquire or dispose of any species of property, and generally to do any and all things that they may think necessary for the good of their Company, except for the privilege of banking; that they may also have and use a common seal, and that they shall generally have all the powers incident to corporations.

Tenn. Land Agency.

Powers and privileges.

SEC. 13. *Be it further enacted*, That the capital stock of said Company shall be one hundred thousand dollars, with the privilege of being increased to five hundred thousand dollars, and shall be divided into shares of the par value of fifty dollars each, and when two hundred shares shall have been subscribed, and the sum of five dollars per share paid thereon, the stockholders may meet and elect five Directors, who shall enter at once upon their duties, and said Directors shall elect one of their number to be President to act during their term of office.

Capital Stock

Meeting, etc.

SEC. 14. *Be it further enacted*, That the President and Directors so chosen, shall have power to make and adopt all by-laws that may be proper and necessary for their government; may appoint all necessary officers and agents; fix their compensation, and may prescribe the manner of paying in the stock; said institution shall have a lien on the stock for debts due it by the stockholders before and in preference to other creditors.

Powers of Directors.

SEC. 15. *Be it further enacted*, That the President shall annually appoint the time and place of holding the election of their successors, and two or more of their number shall attend and conduct said election, each share being entitled to one vote.

Annual Election.

SEC. 16. *Be it further enacted*, That a majority of the incorporators may have power to act as Commissioners, and open books for the subscription of stock,

May open books.

and when organized, the Board of Directors shall be composed of not less than three nor more than ten stockholders.

SEC. 17. *Be it further enacted,* That no stockholder shall be liable to a greater amount than the stock he may hold or subscribe.

Liability.

SEC. 18. *Be it further enacted,* That this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed March 1, 1869.

CHAPTER *(a.)*

AN ACT to Incorporate the Union Bank of Memphis, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Reul Hough, J. M. Tomeny, R. C. Brinkley, S. B. Beaumont, J. B. Bingham, R. C. Gist and W. B. Waldron and their associates and successors be, and they are hereby created a body politic and corporate by the name and style of the Union Bank of Memphis, and by that name they shall have succession, sue and be sued, plead and be impleaded, and generally to do every act and thing necessary to carry out the provisions of this Act for a period of fifty years. Corporators. Legal powers.

SEC. 2. *Be it further enacted*, That the capital stock of said bank shall be divided into shares of fifty ($50) dollars each, and when one thousand shares shall have been subscribed, and the sum of twenty-five thousand dollars shall have been paid thereon, the stockholders may meet and elect five Directors, and said Directors shall elect one of their number a President during their term of office; *Provided*, that the capital stock may be increased from time to time by a majority vote of the Directors, to a sum not exceeding five hundred thousand dollars. Capital Stock

SEC. 3. *Be it further enacted*, That said President and Directors shall and may adopt and use a common seal, and alter the same at pleasure; may make and adopt proper and necessary by-laws for their government; may appoint all necessary officers and agents, fix their compensation, and take bond and security for the faithful discharge of their duties; they may prescribe the manner of paying in stock and of the transfer of the same. This corporation shall be subject to such taxes as may be imposed, and general laws passed by the Legislature from time to time for the government of similar incorporations. Powers of Directors.

SEC. 4. *Be it further enacted*, That the said bank may discount notes, may buy and sell stocks, deal in exchange, gold and silver bullion, and in other bank notes; may purchase and hold a lot of ground for the use of the bank as a place of business, and at pleasure sell or exchange the same, and may hold such real estate or personal property and estate as may be conveyed to it to secure debts due the bank, upon such terms as the President and Directors may require, and may sell and convey the same at will. Said bank may receive on de- Purposes and privileges.

Deposits.

posit any and all sums not less than one dollar offered, and infants and *femes covert* may deposit therein and control the deposits so made, which shall be for their own separate use, free from all other contracts or control whatever; and when such deposits shall amount to fifty dollars, it may, at the option of the depositor become stock in the bank. It may also receive other general or special deposits and allow such interests thereon as may be agreed upon, not exceeding that allowed by law, and twice a year declare and pay to the stockholders a dividend of profits.

Vacancies, etc

SEC. 5. *Be it further enacted*, That in case of the death or resignation of any Director, the President and Board of Directors are authorized to fill the vacancy by appointment until the next election of Directors, and that the President and Directors shall annually appoint the time and place of holding the election of their successors, and two or more of their number shall attend and conduct such election, each share of stock being entitled to one vote, which may be cast in person or by proxy.

Nati'l Ins. Co

SEC. 6. *Be it further enacted*, That section eight of An Act passed November 17, 1865, incorporating the National Insurance Company and for other purposes, be so amended as to authorize each shareholder to have one vote.

Holston Bank

SEC. 7. *Be it further enacted*, That D. G. Thornburgh, D. M. Nelson, Joseph A. Mabry, D. W. C. Senter, their successors and assigns, are hereby created a body politic and corporate under the name and style of the Holston Bank for the period of ninety-nine years, and in that name shall have full power to sue and be sued, plead and be impleaded, and generally such other powers not inconsistent with this Act, to hold real estate for its business office, and such as may be taken for debt, to deal in and buy, sell exchange, gold, silver, coin, bullion, uncurrent funds, notes, bills, stocks or bonds, or any other evidence of debt, and receive deposits, and pay such rates of interest thereon as may be agreed upon, not to exceed that allowed by the State laws, to make such necessary by-laws as is prudent for their government.

Powers, etc.

Capital Stock

SEC. 8. *Be it further enacted*, That the capital stock shall not exceed five hundred thousand dollars, fifty thousand of which shall have been paid in, divided into shares of five hundred dollars each; and that said institution shall not issue any bills for circulation, and be subject to such general laws as the Legislature

may pass in reference to banks and other similar institutions, and that each shareholder shall be individually liable to the amount of capital stock owned by him to the creditors of the institution. Liability.

SEC. 9. *Be it further enacted*, That said incorporated companies shall be subject to such general laws as may, from time to time, be enacted by the Legislature upon the subject of banks and banking.

SEC. 10. *Be it further enacted*, That Freemorton Young, W. J. Owings, C. P. Taliaferro, Samuel Williams, and Hugh Martin, and their associates and successors, be, and they are hereby, created a body politic and corporate, by the name and style of the "Roane County Exchange and Deposit Bank;" and by that name shall have succession for thirty years, sue and be sued, plead and be impleaded, and generally to do every act and thing necessary to carry out the provisions of this Act, and to promote the object and design of this corporation. Roane Co'ty Exchange and Deposit Bank

SEC. 11. *Be it further enacted*, That the capital stock of said company shall be fifty thousand ($50,000) dollars, divided into shares of five hundred ($500) dollars; and when fifty shares shall have been taken, and fifty per cent. of said shares shall be paid thereon, the stockholders may meet, organize and elect five Directors, who shall be elected and enter upon their duties; and said Directors shall elect one of their number to be President during their term of office. It is further provided that said company may increase their capital stock to one hundred thousand dollars. Capital Stock, organization, etc.

SEC. 12. *Be it further enacted*, That said President and Directors shall and may adopt and use a common seal, and alter the same at pleasure; may make and adopt proper and necessary by-laws for their government; may appoint all necessary officers and agents, fix their compensation and take bond and security for the faithful discharge of their duties. They may prescribe the manner of paying in the stock, and the transfer thereof. Said institution shall have a lien on the stock for debts due it by the stockholders before and in preference to other creditors, except the State and County for taxes, and shall pay to the State such tax as may be imposed on similar institutions by the Legislature. Powers of Directors. Lien.

SEC. 13. *Be it further enacted*, That said institution may discount notes, may buy and sell stocks, deal in ex-

change, gold and silver coin, or bullion; purchase and hold a lot of ground for the use of the institution, as a place of business, and at pleasure sell or exchange the same, and may hold such real or personal property and estate as may be conveyed to it to secure debts due the institution, and may sell and convey the same. It may receive upon deposit any and all sums not less than one dollar per week offered, and infants and
Privileges. *femes covert* may deposit therein and control the deposit so made, which shall be for their own separate use, free from all other contracts or control whatever; and when such deposit shall amount to fifty dollars it may, at the option of the depositors, become stock in the institution. It may receive other general or special deposits; it may allow interest thereon as may be agreed upon. But said institution is hereby expressly
Bank Notes. prohibited from issuing notes, certificates or other papers for the purpose of being used, or which shall have a tendency to pass and be used as a circulating medium. It shall twice per year declare and pay to stockholders a dividend of profits.

SEC 14. *Be it further enacted,* That the President and Directors shall annually appoint the time and place of holding the elections of their successors, and two or more of their number shall attend and conduct said election, and each share shall be entitled to a vote.

SEC. 15. *Be it further enacted,* That this Act take effect from and after its passage.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed March 3, 1868.

CHAPTER (*b.*)

AN ACT Incorporating the Western University in Shelby County and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That Horatio N. Rankin,
Corporators David Locke, John E. Patterson, Gilbert Algee, Geo. W. Waldron, Page Tyler, W. T. Kennedy, be, and

are hereby, constituted a body corporate and politic, by the name of the West Tennessee University, to be located in Shelby County, West Tennessee, and shall have succession for ninety nine years, and be capable in law or equity, to purchase and receive and to hold to themselves and successors, any land, tenements, goods or chattels which shall be given, granted or devised to them or purchased by them for the use and benefit of said University, and to receive and hold donations or legacies for the benefit of said University, and to appropriate, use and to dispose of the same in such manner as to them may seem fit and proper for the use and benefit of the University aforesaid, and the said Trustees and their successors by the name and style of the aforesaid, may sue and be sued, plead and be impleaded in any court of law or equity in the State of Tennessee or elsewhere.

Legal powers.

Property, etc.

Sec. 2. *Be it further enacted*, That the Trustees aforesaid, and their successors, shall have power to hold such meetings at such times and places as they may think proper, to elect one of their number President and a Secretary and a Treasurer, but not less than a majority of said Board of Trustees shall constitute a quorum to do business relating to said University, and they shall have power to fill all vacancies that may occur in said Board by death, resignation or otherwise, and also to increase their number.

Meetings.

Sec. 3. *Be it further enacted*, That the Board shall have full power to appoint tutors and officers necessary for conducting the concerns of the University, and to displace and to suspend them at pleasure, and they shall meet on their own adjournments, or at the call of the President, Vice President or any two of the Trustees at the said University, and they shall have power to adopt any measure they may think proper to advance the cause of literature at said University, and to make any by-laws, rules and regulations relating to the same and the government thereof, and their own proceedings as a majority of said Board may deem right and proper, and the President and Professors of said University, with the advice and consent of the Board, shall have full power and authority to confer on any student in said University, or any other person, the degrees of Bachelor of Arts, Master of Arts or any other degree known and used in any College or University in any of the United States; *Pro-*

Gen'l powers of Board.

Same.

vided, however, They are not inconsistent with the Constitution and laws of the United States and of the State of Tennessee.

Taxation.

SEC. 4. *Be it further enacted*, That the land on which said University shall be situated, not exceeding ten acres, and the buildings and other property of the corporation, shall be exempt from taxation when used for such purposes, and such purposes only.

Misnomer.

SEC. 5. *Be it further enacted*, That no misnomer or misdescription of said corporation, in any will, deed, gift, grant, devise or other instrument of contract or conveyance, shall vitiate or defeat the same, but that the same shall take effect in like manner, as if the said corporation were rightly named; *Provided, however*, It be sufficiently described as to ascertain the intention of the parties.

Como Male and Female Academy.

SEC. 6. *Be it further enacted*, That J. H. Wood, E. A. Martick, W. J. Hurt, B. B. Ray, J. B. Stephens and H. H. Lovelace, be, and they are hereby incorporated a body politic by the name of the Trustees of the Como Male and Female Academy, and by that name shall have succession for thirty-three years; have a common seal, and the said Trustees and their successors by the name aforesaid shall be capable in law to purchase, receive and hold lands, tenements, goods or chattels, which may be given, granted or devised to them or purchased by them for the use and benefit of said Academy; and the said Trustees and their successors by the name aforesaid may sue and be sued, plead and be impleaded in any of the courts of law or equity in this State.

Legal powers.

Meetings.

SEC. 7. *Be it further enacted*, That the Trustees aforesaid and their successors shall have power to hold such meetings at such times and places as they may think proper, to elect one member President and a Secretary and Treasurer of said Board, and to fill vacancies when such may occur by death, resignation or otherwise; but not less than a majority of said Trustees shall constitute a Board to do business.

By-Laws, etc.

SEC. 8. *Be it further enacted*, That the said Board of Trustees shall have power to make such rules and regulations relative to said Academy and the government thereof, and their proceedings as a majority may deem right and proper; *Provided*, they be not inconsistent with the Constitution and laws of the State of Tennessee.

SEC. 9. *Be it further enacted*, That S. D. Rowan, J. W. Johnston, J. J. Womack, W. T. White, T. P. Crutcher, S. L. Colville, B. J. Hill, J. H. Hughes, J. D.

Walling, S. C. Norwood, S. M. Scott, F. M. Smith, John B. Armstrong and Asa Faulkener, and their successors be, and they are hereby incorporated and made a body corporate and politic by the name and style of the Board of Trustees of Ben Lomond College, which College, located at McMinnville, in the county of Warren, and by that name may sue and be sued in any of the courts of this State; have and use a common seal and alter the same at pleasure; make all by-laws which may be deemed by said corporation necessary for the government of said corporation, not inconsistent with the Constitution and laws of the land, and shall have all the powers and privileges, including succession, and be subject to all the restrictions provided for and imposed upon similar institutions under existing laws concerning similar incorporations, and in addition thereto all the powers and privileges heretofore conferred by law on the Trustees of Carroll Academy, heretofore located at said town of McMinnville.

Trustees of Ben Lomond College.

Legal powers.

SEC. 10. *Be it further enacted*, That the remaining Trustees of said Academy are empowered to deliver over to the Board of Trustees of Ben Lomond College any funds or securities in their hands or under their control, held for said Academy; and that the Board of Trustees hereby incorporated shall stand in the place of and be vested with all the powers vested in said Trustees of Carroll Academy; the building known as the Carroll Academy building having been destroyed by fire, and it being intended by this Act to enable the Board of Trustees hereby incorporated to carry out the objects for which Carroll Academy was instituted.

Funds, etc.

Carroll Academy.

SEC. 11. *Be it further enacted*, That this Act shall take effect from and after its passage, and that all laws inconsistent herewith are hereby repealed.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Passed March 12, 1868.

[PUBLIC ACT.]

CHAPTER XLVII.

AN ACT to Amend Section 3005 of the Code of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 3005 be, and the same is hereby amended to read as follows:

Issuance of executions.

The Clerk of the Circuit Courts, when the court continues in session less than two weeks within thirty days, when more than two weeks within forty days thereafter, and when the court should continue in session more than four weeks, the Clerk may issue execution in any case at any time after thirty days after judgment therein.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Passed January 11, 1869.

[NOTE.—The "Act to incorporate the Union Bank of Memphis, and for other purposes," passed March 3, 1868, marked (*a.*) and "An Act incorporating the Western University in Shelby county, and for other purposes," passed March 12, 1868, and marked (*b.*) should have appeared in the Acts of 1867-8, but by omission of the Engrossing Clerk, who failed to deposit them in my office at the proper time, I am forced to print them with Acts passed 1869. The same remarks apply to "An Act to amend section 3005 of the Code of Tennessee, (Chapter XLVII.) on this page, which should have appeared with Public Acts.

A. J. FLETCHER, *Secretary of State.*]

RESOLUTIONS.

NUMBER I.

HOUSE RESOLUTION furnishing the Members and Officers with Daily Papers.

Resolved by the House of Representatives of the General Assembly of the State of Tennessee, That the members and officers of the House be authorized to subscribe for three daily papers, and the expenses thereof to be provided for in the General Appropriation Bill.

Be it further resolved, That the Doorkeeper be instructed to keep a full list of the number and title of papers subscribed for by each member, and to furnish such list to the Comptroller at the end of the session, and that the Comptroller shall pay no newspaper accounts except in accordance with said list furnished by the Doorkeeper.

F. S. RICHARDS.
Speaker of the House of Representatives.

Adopted November 11, 1868.

NUMBER II.

HOUSE JOINT RESOLUTION Calling on the Comptroller to Report to this General Assembly.

Resolved by the General Assembly of the State of Tennessee, That the Comptroller of the State be and he is hereby requested to report to this General Assembly what progress he has made in the execution of the Act passed September 5, 1868, entitled "An Act to regulate the State finances," and especially what amount of the

interest on the State debt has been paid, and in what July way. Also, what amount of the over-due bonds of the State have been funded.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER
Speaker of the Senate.

Adopted November 12, 1868.

NUMBER III.

SENATE RESOLUTION Calling on Comptroller for Information Respecting Railroads and Railroad Employes.

Resolved by the Senate of the State of Tennessee, That the Comptroller of the State Treasury furnish a list of persons employed and in charge of any of the railroads of this State for the non-payment of interest or other causes, and report the same to this General Assembly, with the time of appointment and the compensation (if any) paid by the State to any such employes, with the authority upon which any such payment may have been made.

D. W. C. SENTER,
Speaker of the Senate.

Adopted November 12, 1868.

NUMBER IV.

HOUSE JOINT RESOLUTION to Elect a Public Printer for the State.

Resolved by the General Assembly of the State of Tennessee, That the Senate meet the House in convention in the hall on Monday, the 16th day of November, 1868, at 11 o'clock A. M., for the purpose of electing a Public Printer for the State for two years from the expiration of the term of the present State Printer.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted November 12, 1868.

NUMBER V.

HOUSE JOINT RESOLUTION Appropriating Money to the Members and Officers for Stamps.

Resolved by the General Assembly of the State of Tennessee, That the Comptroller issue his warrant for the sum of ten dollars to each member and officer of the House and Senate, for the purpose of procuring postage stamps, for the use of members and officers of this General Assembly.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted November 13, 1868.

NUMBER VI.

HOUSE JOINT RESOLUTION Appointing a Committee to Settle with the Treasurer of the State.

Resolved by the General Assembly of the State of Tennessee, That a committee of two on the part of House, and three on the part of the Senate, be appointed to settle with the Treasurer, and report their action as soon as possible.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted November 13, 1868.

NUMBER VII.

HOUSE RESOLUTION Removing State and County Officers for Negligence of Duty.

Resolved, That the Judiciary Committee of this House be instructed to report by bill or otherwise, for the punishment or removal of those State and county

officers who fail or neglect from any cause, to discharge their duties according to law, in any of the counties or Judicial or Civil Districts of this State, to the end, that acts of violence may be punished, and that the citizens of the State may receive that protection to which they are entitled by law.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted November 14, 1868.

NUMBER VIII.

SENATE JOINT RESOLUTION Imposing Certain Duties Upon the Superintendent of the Capitol.

Resolved by the General Assembly of the State of Tennessee, That the Superintendent of the State Capitol, at the close of this session, shall have charge of the Senate Chamber, Representative Hall and committee rooms, and cause all stationery, furniture and other articles belonging to said halls and committee rooms, to be carefully preserved for the use of the General Assembly, and he shall be allowed by the Comptroller all necessary expenses incurred in preserving the same, and a reasonable compensation for his services.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted November 16, 1868.

NUMBER IX.

SENATE JOINT RESOLUTION Requesting Senators and Representatives in Congress to procure an appropriation for Ellis and Turner.

WHEREAS, Capt. Daniel Ellis, of Carter, and Capt. John Turner, of the County of Union, did render valuable service to the Government of the United States

by piloting recruits through the mountains of East Tennessee, to the Federal lines in Kentucky; and

WHEREAS, The Government of the United States has appreciated the services of her citizens, and soldiers during the war, for services rendered, by appropriate donations; and

WHEREAS, The said Ellis and Turner have never been paid for their valuable services; therefore

Resolved, by the General Assembly of the State of Tennessee, That our Senators in Congress are hereby directed, and our Representatives respectfully requested to procure, if possible, for the said Dan'l Ellis and John Turner, an appropriation sufficient to recompense them for hardships and privations endured, and services rendered the Government of the United States.

Resolved further, That the Governor is respectfully requested to transmit a copy of this Resolution to our Senators and Representatives in Congress.

D. W. C. SENTER,
Speaker of the Senate.
F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted Nov. 16, 1868.

NUMBER X.

HOUSE RESOLUTION Defining the Powers of the Committee on Internal Improvements.

Resolved by the House of Representatives of the General Assembly of the State of Tennessee, That the Committee on Internal Improvements of this House, have power to send for persons and papers in the examination of the matters that may be referred to it during the present session, under the usual rules in such cases.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted Nov. 16, 1868.

NUMBER XI.

SENATE JOINT RESOLUTION, Directory to the Trustees and Superintendent of the Hospital for the Insane.

Be it Resolved by the General Assembly of the State of Tennessee, That the Trustees and Superintendent of the Hospital for the Insane, be, and they are hereby authorized and empowered to purchase for the use and benefit of the Institution, the tract or parcel of land containing about one hundred and fifty acres, known as the Ezell land, situated on the branches flowing from the land now owned by said Institution; *Provided*, said parcel of land can be bought for a fair price, and a good title obtained to the same.

Be it further resolved, That said Trustees and Superintendent are hereby authorized and empowered, in the event they buy said tract or parcel of land, to sell such part of the land now owned by said Institution, as can be best spared, looking to the permanent interests of the Institution; *Provided*, that said Trustees and Superintendent shall not sell more of the lands now owned by the Institution than will be sufficient to pay for the Ezell tract or parcel of land.

Be it further resolved, That said Trustees and Superintendent shall report to this General Assembly at its November session, 1868, any action they may take under these Resolutions.

F. S. RICHARDS,
Speaker of the House of Representatives,
D. W. C. SENTER,
Speaker of the Senate.

Adopted Nov. 16, 1868.

NUMBER XII.

SENATE JOINT RESOLUTION in Relation to the Navigation of the Tennessee River.

WHEREAS, The General Assembly of the State of Tennessee, has heretofore urged upon their Senators and Representatives in Congress, to give the subject of

the improvement of the Tennessee River, such special consideration as might secure an appropriation sufficient to open to the commerce of the nation, that important channel of communication, thereby developing the great mineral resources of East Tennessee to an enormous and incalculable extent, and enriching the whole State by the impetus which will be given to agriculture as well as to mining and manufactures, and

WHEREAS, Through the influence of our Senators and Representatives in this behalf, the Fortieth Congress has appropriated a sufficient amount of money to remove all impediments to the navigation of the Tennessee River, between Chattanooga and its mouth, excepting those commonly known as the Muscle Shoals, which money is now being judiciously expending, under the direction of a U. S. Engineer, and

WHEREAS, It is essential to the welfare of Tennessee, in common with the other States bordering on or traversed by the Tennessee River, that these Shoals should be made navigable, and unless this is done, the appropriations already made will have been spent in vain; therefore

Be it resolved by the General Assembly of the State of Tennessee, That our Senators and Representatives in Congress, be respectfully requested to lay before Congress the magnitude of the interests involved in the opening of the Tennessee River, and to secure from that body, if possible, such appropriations as the estimate of the U. S. Engineer in charge of the improvement of the Tennessee River, may recommend as necessary to obviate the existing impediments to navigation at and in the vicinity of the Muscle Shoals.

Be it resolved further, That upon the adoption of these resolutions, the Secretary of State, is hereby directed to forward a copy of the same to each of our Senators and Representatives in Congress.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted November 16, 1868.

NUMBER XIII.

SENATE JOINT RESOLUTION Concerning the Governor of the State.

WHEREAS, The General Assembly of the State of Tennessee, did, on the 20th day of February, 1867, pass an Act to organize and equip a State Guard, the second section of which Act provides as follows: "That the Governor shall be commander-in-chief; any number of said force shall be subject to his order, when in his opinion, the safety of life, property, liberty or the faithful execution of law require it to be organized, armed and equipped, regulated and governed by the rules and articles of war, and the revised army regulations of the United States so far as applicable, and shall receive pay and allowance according to grade of rank, as provided for the United States army while in actual service, to be paid out of any money in the State Treasury not otherwise appropriated; *Provided*, That the organization provided for in this Act shall not be armed and equipped until called into active service, and

WHEREAS, It became imperatively necessary for the Governor to bring said Guard into the field for the purpose of enforcing the laws and protecting life, liberty and property; whereby a heavy expenditure was unavoidably incurred, therefore

Be it resolved by the General Assembly of the State of Tennessee, That His Excellency the Governor be, and he is hereby directed to communicate to the general Government, through our Representatives and Senators in Congress, the amount of said expenditure under said Act, and request that an appropriation be made by the General Government to the State of Tennessee, to meet and liquidate said expenditure in behalf of the Union, the Constitution and the laws of the land.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted November 16, 1868.

NUMBER XIV.

HOUSE RESOLUTION in Reference to the Special Committee on Finance.

WHEREAS, a Committee was appointed at the recent Extraordinary Session to investigate the frauds practiced upon the State, etc., *And whereas*, said Committee made a partial report, but on account of time failed to complete their labors; and

WHEREAS, it is essential that said Committee should proceed to investigate the matter further,

Be it resolved by the House of Representatives, That the Special Committee on Finance appointed at the recent Extraordinary Session be, and they are hereby instructed to proceed with further investigation, and are granted the same powers as before, and make a report without delay to this House.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted November 17, 1868.

NUMBER XV.

HOUSE RESOLUTION Calling on the Secretary of State to Furnish Stationery for the General Assembly.

Resolved by the House of Representatives of the General Assembly of the State of Tennessee, That the Secretary of State be, and he is hereby requested to furnish for the use of this House, a sufficient quantity of headed letter and note paper and official and letter envelopes to correspond therewith.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted November 17, 1868.

NUMBER XVI.

SENATE RESOLUTION of Condolence for Hon. Wm. H. Wisener.

Resolved by the Senate of the State of Tennessee, That having received information of the loss our brother Senator, Hon. Wm. H. Wisener, of Bedford county, has sustained in the demise of his wife, the partner of his cares for many years, the members hereof do most heartily, individually and collectively, offer our brother Senator our most sincere condolence in his bereavement.

Resolved, That the Speaker of the Senate cause a copy of these resolutions of sympathy to be forwarded to the Hon. Wm. H. Wisener, at his home in Shelbyville, Tennessee.

D. W. C. SENTER,
Speaker of the Senate.

Adopted November 18, 1868.

NUMBER XVII.

HOUSE RESOLUTION Calling on the General Claim Commissioner to Report.

Resolved, That the General Claim Commissioner for the State report to this House the amount of claims audited, giving specifically the amount on Government and Rebel accounts at as early a moment as possible.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted November 18, 1868.

NUMBER XVIII.

HOUSE RESOLUTION Appointing a Committee to Investigate the Bank of Tennessee.

Resolved by the House of Representatives, That a committee of five (5) be appointed to investigate the true condition of the Bank of Tennessee, and report

to this House the amount of cash on hand, amount of bonds, accounts, promissory notes, bank bills, and other assets belonging to said bank; the annual expenses attached to the same, the probability of a speedy adjustment and settlement of the same; the probable value of the real property belonging to said bank, and the condition of the suits now pending in the courts, together with the costs incident to the same; and all other information not mentioned in the foregoing that will tend to a speedy settlement and adjustment of the said bank, and that said committee shall have power to send for papers and persons, and make a report to this House without delay, together with such recommendation as the committee may see proper.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted November 19, 1868.

NUMBER XIX.

SENATE JOINT RESOLUTION Appointing a Committee to Investigate the Sinking Fund, etc.

Resolved by the General Assembly of the State of Tennessee, That a joint committee be appointed, of two on the part of the Senate, and —— on the part of House, to investigate the "sinking fund" and interest accounts of such railroads as have received aid under the General Internal Improvement Law of the State, and have unsettled accounts with the State Treasurer. The committee so appointed, to have full power to send for persons and papers, and to effect a settlement of such accounts equitably to the State and to the railroads concerned, and the Comptroller is hereby empowered and required to have such accounts closed up and settled accordingly.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted November 19, 1868.

NUMBER XX.

SENATE RESOLUTION in Relation to the Tax on Merchants.

Resolved by the Senate, That the Finance Committee of this house take into consideration the propriety of lessening the tax on merchants and of equalizing the same, and report to this House by bill or otherwise.

D. W. C. SENTER,
Speaker of the Senate.

Adopted November 19, 1868.

NUMBER XXI.

SENATE JOINT RESOLUTION to Elect a Treasurer and Secretary of State.

Resolved by the General Assembly of the State of Tennessee, That the Senate meet the House of Representatives in the hall of the latter, in convention, at 11 o'clock A. M., the 20th inst., to elect a Treasurer and Secretary of State.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted November 19, 1868.

NUMBER XXII.

SENATE JOINT RESOLUTION to Pay for Printing the Impeachment Trial.

Resolved by the Senate, the House Concurring, That the Comptroller be and he is hereby authorized to issue his warrant upon the Treasurer of the State to the Public

Printer to pay for printing the impeachment trial; *Provided*, the amount shall not exceed five hundred dollars.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted November 20, 1868.

NUMBER XXIII.

HOUSE RESOLUTION to Adjourn on the 25th of November.

WHEREAS, The President of the United States has, by solemn proclamation, set apart Thursday, the 26th day of November, 1868, as a day of thanksgiving and solemn devotion to Almighty God; and

WHEREAS, His Excellency, Wm. G. Brownlow, Governor of Tennessee, has, by solemn proclamation set apart the same day for the same purpose; therefore

Be it resolved by the House of Representatives of the State of Tennessee, That this House adjourn on the 25th inst., to meet again on the 27th inst., at 10 o'clock A. M.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted November 24, 1868.

NUMBER XXIV.

SENATE RESOLUTION to Raise an Additional Committee on Immigration.

Resolved, That an additional standing committee of five of the Senate be raised by appointment by the Speaker, to be called the Committee on Immigration.

D. W. C. SENTER,
Speaker of the Senate.

Adopted November 25, 1868.

NUMBER XXV.

SENATE JOINT RESOLUTION to Appoint Commissioners to Represent the State in a Convention to be held in Springfield, Ills.

Resolved by the General Assembly of the State of Tennessee, That Benjamin Harlan, of the county of Maury, Lorenzo Stratton, of the county of Cumberland, and J. G. Boyd, of the county of Gibson, be appointed Commissioners to represent Tennessee in the Convention to be held in Springfield, Illinois, on the 1st day of December next, and that their expenses be included in the General Appropriation Bill.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted Fovember 25, 1868.

NUMBER XXVI.

SENATE RESOLUTION To authorize the Governor, Comptroller, and Secretary of State, to employ Counsel in certain cases.

WHEREAS, Suits are now pending in the Supreme Court of the United States in which the validity and constitutionality of certain laws of the State of Tennessee are involved, especially the collection of the revenues of the State and the constitutionality of the elective franchise Act; Therefore,

Resolved by the General Assembly of the State of Tennessee, That the Governor, Secretary of State and Comptroller of the State, or any two of them, be, and they are hereby, authorized and empowered to employ an Attorney or Attorneys to represent the interests of the State in said cases, and in any other suit or suits in the State or Federal Courts involving the validity or constitutionality of the laws of this State, if, in their opinion, the welfare and interest of the State shall demand such legal assistance; said counsel so employed to be paid upon the Comptroller's warrant out of

any moneys in the Treasury not otherwise appropriated, upon the approval of the Governor, Secretary of State, and Comptroller of State, or any two of them.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER
Speaker of the Senate.

Adopted November 25, 1868.

NUMBER XXVII.

HOUSE RESOLUTION Instructing the Committee on Internal Improvements to examine into the condition of the Edgefield & Kentucky; Memphis, Clarksville & Louisville, Nashville & North-Western, Winchester & Alabama, McMinnville & Manchester, Rogersville & Jefferson Railroads.

WHEREAS, The Edgefield & Kentucky, Memphis, Clarksville & Louisville, Nashville & North-Western, Winchester & Alabama, McMinnville & Manchester, Rogersville & Jefferson Railroads, have long since accepted the aid granted by the State under her general Internal Improvement laws, and having failed to comply with the requirements of said law, Receivers have been appointed over said roads, and are vested with the power to manage, govern and control, receive the earnings, rents and profits of said roads; and, *whereas*, it is evident and reasonable that those roads should, with proper management and control, be self-sustaining, and meet at least a part of the indebtedness; and *whereas*, a majority of those roads mentioned in the foregoing have been under the control of Receivers for some considerable time, and said Receivers having failed to pay one single dollar into the Treasury upon said roads, and are living at enormous salaries; and *whereas*, the Receiver upon the Nashville & North-Western Railroad received $100,000 in bonds of the State aid granted said road by the State; and *whereas*, it is evident that fraud and corruption have existed and still exist in the management and control of the foregoing roads, and in order that the State may be protected, Therefore,

Resolved by the House of Representatives, That the Committee on Internal Improvements be, and

they are hereby, instructed to examine the condition of said roads, with power to send for persons and papers, and make a report without delay, giving separately and specifically the condition of said roads, the amounts necessary to keep in repair and run the same; the salaries of the Receivers, the number of officers employed upon each road, and the reason why the overdue interest upon said roads have not been paid, or a part of it; also to report whether the bonds received by the Receiver on N. & N.-W. R. R., were or have been expended upon said road; also to examine the bonds given by each Receiver, and make a thorough investigation as to the sufficiency of said sureties, and all other information nccessary and relative to said road that will tend to protect the interest of the State.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted November 27, 1868.

NUMBER XXVIII.

HOUSE JOINT RESOLUTION Appointing a Committee to settle with Railroad Receivers.

Resolved by the General Assembly of the State of Tennessee, That a committee of two on the part of the House, and —— on the part of the Senate, be appointed whose duty it shall be to settle the accounts of all Railroad Receivers in this State; that they have power to send for persons and papers, and that they report to the present General Assembly.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted November 28, 1868.

NUMBER XXIX.

HOUSE RESOLUTION Calling on the Comptroller to report to this General Assembly.

Resolved, That the Comptroller be requested to inform this House what changes, modifications or reductions may, with safety to the financial interests of the State, be made in the present Revenue Laws of this State.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted November 28, 1868.

NUMBER XXX.

SENATE RESOLUTION relating to the Board of Directors of the Penitentiary.

WHEREAS, His Excellency the Governor, did on the 13th of May last, previous to convening this General Assembly in extra session, appoint a new Board of Directors for the Penitentiary, and in his message especially indicated the necessity of adopting measures for the adjustment of the unsettled condition of the affairs of the Penitentiary, and on account of some official failure the appointment of said Directors was not confirmed on the part of the Senate; therefore

Resolved by the Senate of this General Assembly, That we most respectfully inquire whether official information of said appointment has been sent to the Senate, and if not, that such information be furnished as will enable this House to take immediate action for the adjustment of the long neglected difficulties hanging upon the interests of the State on account of that Institution.

Be it further resolved, That the Principal Clerk of the Senate be directed to forward a copy of this Resolution to the Governor.

D. W. C SENTER,
Speaker of the Senate.

Adopted Nov. 30. 1868.

NUMBER XXXI.

HOUSE RESOLUTION Instructing the Finance Committee to look after the interest of the State.

Resolved, That the Committee on Finance, Ways and Means, investigate into, and report by Bill or otherwise, such action, if any is necessary, to secure the interest of the State in its claim on the Tennessee National Bank of Memphis.

Resolved further, That said committee also confer with our attorney in reference to said bank.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted Dec. 1st, 1868.

NUMBER XXXII.

SENATE JOINT RESOLUTION, Raising a Joint Committee to settle with the Comptroller.

WHEREAS, The present term of the Comptroller expires before the next regular session of the Legislature; and

WHEREAS, The law provides that previous to the election of the Comptroller, the Legislature shall carefully examine the accounts of the incumbent and settle with him; therefore

Resolved by the General Assembly of the State of Tennessee, That a Committee of two on the part of the Senate, and —— on the part of the House, be appointed to settle with the Comptroller as the law directs, preparatory to the election of his successor.

F. S. RICHARDS,
Speaker of the House of Representatives,
D. W. C. SENTER,
Speaker of the Senate.

Adopted Dec. 1, 1868.

NUMBER XXXIII.

HOUSE RESOLUTION Directing the Comptroller to issue his warrant to certain persons.

Resolved by the House of Representatives, That the Comptroller issue his warrant to F. D. Clark, for his mileage and *per diem*, as claimant for a seat in this House from Jackson county, from the beginning of the present session to this date, and the Treasurer pay the same.

Resolved further, That the Comptroller issue his warrant to Absalom Pharris and W. M. Clark, for four dollars per day each, for five days, as witnesses in the contested election case from Jackson county, and that the Treasurer pay the same, the whole amount to be included in the General Appropriation Bill.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted Dec. 2, 1868.

NUMBER XXXIV.

HOUSE JOINT RESOLUTION Instructing the Governor to Turn the North-western Railroad over to the President and Directors.

WHEREAS, The Governor in his Message to the General Assembly says: I would have seized two other roads for failing to pay the July interest and placed them in the hands of Receivers, but that I had learned by experience that to do so would only entail increased burdens upon the State Treasurer; therefore,

Be it Resolved by the General Assembly of the State of Tennessee, That the Governor be, and he is hereby instructed to immediately surrender the Nashville and North-western Railroad to the President and Directors of said Company; *Provided*, nothing in this resolution shall be so construed as to vitiate in any manner the indebtedness of the State in or upon said Railroad.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted December 3, 1868.

NUMBER XXXV.

HOUSE RESOLUTION Requesting the Governor to order an Election to be held in Henry County for Representative.

WHEREAS, the citizens of Henry county are by law entitled to a Representative in the House of Representatives of the General Assembly of the State of Tennessee; *And whereas*, said House of Representatives did by resolution adopted October 26, 1867, declare that a vacancy existed in said House, the seat of the member from said county of Henry being declared vacant, and His Excellency the Governor was, by said resolution, requested to issue a writ of election to fill said vacancy, which according to Article 2, section 15 of the Constitution of the State of Tennessee, it was his duty to do, but which he has for more than twelve months failed to do; therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Tennessee, That His Excellency William G. Brownlow, Governor of said State of Tennessee, be, and he is hereby respectfully but urgently requested to immediately issue a writ of election to the proper officer of Henry county, directing him to open and hold an election in accordance with the laws of the State of Tennessee, for the purpose of electing a member to represent the citizens of said county of Henry in the present House of Representatives of the General Assembly of the State of Tennessee.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted December 3, 1868.

NUMBER XXXVI.

HOUSE JOINT RESOLUTION by the General Assembly of the State of Tennessee, that a Joint Select Committee be appointed to Examine into and Report on certain Railroads.

WHEREAS, certain railroads in this State received large appropriations under an Act passed December 7, 1867, known as the Omnibus Bill, with the implied, if not the expressed understanding, that if the amounts asked for in said Bill would be sufficient to equip and run

said roads successfully, and that they would not call upon the State for any further aid, and with this understanding that the Legislature granted the aid asked for; *And whereas*, a number of said roads have come and again asked for large appropriations without rendering to the General Assembly any account of how the former appropriations were expended; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That a joint select committee be appointed by the two Houses, to take the subject matter under consideration, and to ascertain how and to what purpose the said funds have been appropriated, and that they have power to send for persons and papers, and that they report to the two Houses at as early a day as possible the result of their investigations.

Be it further resolved, That this House postpone any further action on Senate Bill, No. 302, until said Committee make their report.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted December 4, 1868.

NUMBER XXXVII.

HOUSE JOINT RESOLUTION, Directing the Superintendent of the Capitol to have the Cistern Cleaned and Refilled.

WHEREAS, The cisterns connected with the State Capitol having become nearly exhausted, and the water being unfit for use; *And whereas*, said cisterns have not been thoroughly cleaned for several years, consequently the water now used in the Capitol has to be carried some distance from a city hydrant, and a high water tax paid thereon; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That the Superintendent of the Capitol be, and he is hereby authorized to have said cisterns thoroughly cleaned and refilled, and that the Comptroller issue his warrant upon the Treasurer for the payment of the same, the amount to be included in the next General Appropriation Bill.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted December 8, 1868.

NUMBER XXXVIII.

HOUSE JOINT RESOLUTION Appointing a Joint Select Committee to take into Consideration all Bills and Resolutions relative to the Establishment of an Agricultural College in this State.

Resolved by the General Assembly of the State of Tennessee, That a Joint Select Committee of three on the part of the House, and —— on the part of the Senate, is hereby created, to take into consideration all bills and resolutions now pending in relation to the establishment of an Agricultural College in this State.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted December 9, 1868.

NUMBER XXXIX.

HOUSE JOINT RESOLUTION Appointing a Committee to Investigate the Affairs of the Superintendent of Public Instruction.

WHEREAS, There is great interest manifested by the people throughout the State of Tennessee, at this time, on the subject of education; *And whereas*, the people are anxious to know what amount of school money there is now belonging to the State, and what are the expenses necessary to carry out the objects of the School Law; therefore,

Resolved by the General Assembly of the State of Tennessee, That there be a committee appointed by the two houses, to consist of three on the part of the House, and —— on the part of the Senate, whose duty it shall be to examine into the office of the Superintendent of Public Instruction, and also into the office of the Comptroller of the Treasury, and ascertain what is the aggregate amount of school money belonging to the State, and what are the expenses for the year 1868, to carry out the objects of the School

Law; what is the amount due each child of scholastic age, and report to this General Assembly.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted December 10, 1868.

NUMBER XL.

House Resolution Calling on the State Treasurer to Report to the House of Representatives.

Resolved, That the Treasurer of the State report to this House the amount of securities, together with names of the parties issuing them, placed in the hand of T. W. Brown, Attorney-at-Law, at Memphis, by R. L. Stanford, late Treasurer of State, and that he also report what part of said securities have been collected and paid over, and what part remains uncollected.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted December 10, 1868.

NUMBER XLI.

HOUSE RESOLUTION Appointing a Special Committee to Investigate and look after the School Fund.

Resolved, That a Special Committee of five (5) is hereby created, for the purpose of making an investigation in relation to the school fund deposited in the Tennessee "National Bank," at Memphis, and report in detail all the proceedings connected with said fund; said committee to have power to send for persons and papers.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted December 10, 1868.

NUMBER XLII.

HOUSE JOINT RESOLUTION Appointing a Special Committee to Investigate the Burning of the School for the Blind.

WHEREAS, The Asylum for the Blind of the State of Tennessee, was destroyed by the United States Military authorities in the year 1862; and

WHEREAS, It has been customary for the United States Government to repair the damages to charitable institutions caused by the war; therefore

Be it resolved, That a joint special committee of three on the part of the House and —— on the part of the Senate be appointed to investigate the facts in the case above referred to and report to this House what action is necessary to bring the matter before the General Government, in order that the said Asylum for the Blind may be rebuilt as soon as practicable.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted December 10, 1868.

NUMBER XLIII.

SENATE JOINT RESOLUTION to Investigate the manner in which State Bonds have been Issued to Railroads.

Resolved by the Senate, the House concurring, That the committee raised by House Joint Resolution, No. 233, be and they are hereby instructed to investigate the manner in which bonds have been issued to railroads, and whether or not the railroad companies that have drawn the bonds of the State have complied with the laws making the appropriation and the internal improvement laws of the State, as far as they apply to said corporations, and report to this General Assembly.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted December 12, 1868.

NUMBER XLIV.

HOUSE JOINT RESOLUTION Instructing the Comptroller to Issue his Warrant to Rhum and Baily.

Resolved by the House, the Senate concurring, That the Comptroller be instructed to issue his warrant to Ruhm and Baily for the sum of two hundred and forty-two dollars ($242), being the amount due the said Ruhm and Baily for printing five hundred (500) copies of Military Report, made to extra session 1868, and one thousand (1000) copies of Governor's Message, made to adjourned session 1868, in German, by order of the House of Reprentatives.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted December 12, 1868.

NUMBER XLV.

HOUSE RESOLUTION Calling on the Committee of Finance Ways and Means to Report.

Resolved, That the Committee on Finance, Ways and Means, take into consideration and report at their earliest convenience, what legislation, if any, is necessary to insure the payment of the interest on the State debt maturing on the first day of January, 1869.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted December 12, 1868.

NUMBER XLVI.

HOUSE JOINT RESOLUTION to Adjourn on Monday, 21st of December, 1868.

Resolved by the General Assembly of the State of Tennessee, That the two Houses adjourn on Monday

the 21st inst., to meet again on Monday the 4th day of January, 1869.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted December 14, 1868.

NUMBER XLVII.

SENATE JOINT RESOLUTION Directory to the Committee on the Penitentiary.

WHEREAS, The Legislature, by Joint Resolution, passed at the called session, instructed the Directors of the Tennessee Penitentiary to place in the hands of the Attorney General of the State, the account of the State of Tennessee against the Lessees of the labor of the convicts of the Penitentiary for unpaid labor from the 23d day of June, 1867, to January 1st, 1868, and

WHEREAS, In pursuance to said resolution, the said account for $21,318 97, was placed in the hands of Hon. Thos. H. Coldwell, Attorney General for the State by the Directors of the Tennessee Penitentiary, on the 19th day of September, 1868; therefore be it

Resolved, By the Senate—the House concurring, That the Committee on the Penitentiary be, and they are hereby instructed to call upon Hon. Thomas H. Coldwell, Attorney General, for information in reference to the account of the State of Tennessee against the Lessees of the Penitentiary for unpaid labor of the convicts from the 23d day of June, 1867, to the 1st day of January, 1868, and whether or not suit has been instituted on the same.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted December 14, 1868.

NUMBER XLVIII.

HOUSE JOINT RESOLUTION appointing a Joint Select Committee to confer with the Lessees of the State Penitentiary.

Resolved by the General Assembly of the State of Tennessee, That a Joint Select Committee of two, on the part of the House, and —— on the part of the Senate, be appointed to confer with the Lessees of the Penitentiary, and determine upon some plan of operation by which the expenses to the State shall be lessened.

Resolved further, That said Committee confer with Railroad Contractors and ascertain whether a portion of the convicts cannot be profitably employed on their roads and without expense to the State.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted December 17, 1868.

NUMBER XLIX.

HOUSE JOINT RESOLUTION calling on the Judiciary Committee to report.

Resolved by the House of Representatives of the General Assembly of the State of Tennessee, That the Judiciary Committee be, and they are hereby, requested to report a bill looking to the protection of families, by making liquor dealers liable in damages for the selling of liquors to habitual drunkards; they being the heads of families.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted December 18, 1868.

L.

HOUSE RESOLUTION Calling on the Comptroller to Report to the House of Representatives.

Resolved, That the Comptroller report to this House specially, what roads have and what roads have not paid the interest on State bonds issued to them, and which matured on the 1st of January, 1869.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted January 7, 1869.

NUMBER LI.

HOUSE RESOLUTION Appointing a Committee to Assist the Claim Commissioner.

Resolved, That a Special Committee of three be, and they are hereby appointed, for the purpose of examining into, and report upon the matters contained in the communication of the State Claim Commissioner, and that they recommend by bill or otherwise such changes in the Indemnity Bill, as may be deemed necessary.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted January 9, 1869.

NUMBER LII.

HOUSE RESOLUTION Appointing a Committee to take into Consideration the Exempting of Certain Manufacturing Companies from Taxation.

Resolved by the House of Representatives, That a committee of five be appointed to take into consideration the expediency of exempting certain manufactur-

ing companies from taxation for a number of years, and report by bill or otherwise.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted January 13, 1869.

NUMBER LIII.

HOUSE RESOLUTION Instructing the Speaker of the House to issue a Warrant for the Arrest of Geo. R. Rutter, etc.

Resolved, That the Speaker of the House is hereby instructed to issue a warrant to Frank Hyberger, Sergeant-at-Arms, Tennessee, for the immediate arrest of George R. Rutter, of Memphis, Tennessee, and bring him before the House for contempt.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted January 13, 1869.

NUMBER LIV.

SENATE JOINT RESOLUTION for the Benefit of David Beaty.

WHEREAS, David Beaty, during the late war between the people of the United States and the States lately in rebellion, raised, equipped, clothed and supplied a company of independent scouts, from among the loyal men of Fentress and adjoining counties; and

WHEREAS, The said David Beaty and the men under his command, rendered the cause of the Union great service, by keeping open a passage for the loyal men of East and Middle Tennessee to and from the Federal army in Kentucky, and were often engaged in action with the enemy, and did good service; and

WHEREAS, The said David Beaty, and the men under his command, have never received compensation in any manner for their services; therefore,

Be it resolved by the General Assembly of the State

of Tennessee, That our Senators in the Congress of the United States be instructed, and our Representatives in the Congress of the United States be requested to use all means in their power to have the said David Beaty paid; his command placed upon the same footing, and paid the same as troops belonging to the cavalry arm of the service during the late war.

Be it further resolved, That a copy of these resolutions be forwarded to each of our Senators and Representatives in Congress, by the Secretary of State.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted January 14, 1869.

NUMBER LV.

HOUSE RESOLUTION in Reference to Adjournment.

WHEREAS, There is a considerable amount of business of a general and important character to the interest of the State, besides quite an amount of business of a local yet important character, to the sections to which they pertain; and

WHEREAS, It is anticipated that business of a very important character to the State, will yet be introduced, which may require some time for proper consideration; and,

WHEREAS, There are resolutions now before the House looking to an adjournment in a few days; and

WHEREAS, The two houses can pass a resolution for adjournment at any time within three days, whenever the business of the two houses and the interest of the State seem to require it; therefore,

Resolved by the House, That all such moves at this time is only a waste of precious time that could be better employed in the consideration of the business before the House.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted January 14, 1868.

NUMBER LVI.

SENATE JOINT RESOLUTION to Authorize a Settlement with the Receiver of the Edgefield & Kentucky Railroad.

Resolved by the General Assembly of the State of Tennessee, That so much of the Governor's Message of the 4th inst., as relates to a settlement with the Receiver of the Edgefield & Kentucky Railroad, be referred to the Committee on Internal Improvements of the two Houses, who shall perform the duty and report to this General Assembly.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted January 19, 1869.

NUMBER LVII.

HOUSE JOINT RESOLUTION Empowering the Governor to Employ Efficient Counsel, etc.

Be it resolved by the General Assembly of the State of Tennessee, That the Governor be, and he is hereby empowered and instructed to employ such efficient counsel as may be necessary to assist in the prosecution of the indictment found by the grand jury of Davidson County, against George R. Rutter, President of the Tennessee National Bank of Memphis, charged with fraudulently obtaining and using the "school fund," and that the Comptroller shall issue his warrant upon the Treasurer for all fees of counsel thus incurred, and for all necessary expenses pertaining to said prosecution upon the recommendation or order of the Governor; *Provided*, that the fees and expenses so incurred shall first be approved by the Governor, the Attorney-General of the State, and Secretary of State.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted January 21, 1869.

NUMBER LVIII.

HOUSE JOINT RESOLUTION tendering thanks to the Hon. A. W. Howard, Judge, etc.

WHEREAS, It is evident that the peace and prosperity of the State depends to a great extent upon the faithful execution of the laws; and

WHEREAS, It is evident that many of the Judicial officers of the State have failed to a great extent in enforcing the law passed at the extraordinary session of 1868, known as the "Kuklux Law," which, if enforced, would tend to tranquilize the disordered state of affairs; and

WHEREAS, The Hon. A. W. Howard, Judge of the 1st Judicial Criminal Circuit, has enforced said law to its full extent; therefore

Resolved, by the General Assembly of the State of Tennessee, That the thanks of this General Assembly is hereby tendered, and that we heartily endorse the course of the Hon. A. W. Howard, mentioned in the preamble, in the execution of said Kuklux law, and that the Republican members of the Tennessee Legislature consider and believe that the enforcement and execution of the Kuklux law will ultimately secure personal liberty and personal security to every individual in this State, regardless of race and previous condition.

Resolved further, That a copy of this Resolution be forwarded to the Hon. A. W. Howard, by the Governor of the State.

F. S. RICHARDS,
Speaker of the House of Representatives,
D. W. C. SENTER,
Speaker of the Senate.

Adopted January 21, 1869.

NUMBER LIX.

HOUSE JOINT RESOLUTION requesting our Senators and Representatives in Congress to procure an Appropriation for Isaac Bolinger and Andrew C. Fondrin.

WHEREAS, Isaac Bolinger, of Union County, and Andrew C. Fondrin, of Carter County, rendered valua-

ble service to the Government of the United States, by piloting recruits through the mountains of East Tennessee, to the Federal lines in Kentucky; and

WHEREAS, The Government of the United States has appreciated the services of her citizens and soldiers during the war, by appropriate donations; and

WHEREAS, The said Bolinger and said Fondrin have never been paid for their valuable services;

Resolved by the General Assembly of the State of Tennessee, That our Senators in Congress are hereby directed, and our Representatives respectfully requested, to procure if possible, for the said Isaac Bolinger and Andrew C. Fondrin, each, an appropriation sufficient to recompense them for hardships and privations endured, and services rendered the Government of the United States.

Resolved further, That the Governor is hereby respectfully requested to transmit a copy of this Resolution to our Senators and Representatives in Congress.

F. S. RICHARDS,
Speaker of the House of Representatives,
D. W. C. SENTER,
Speaker of the Senate.

Adopted January 26, 1869.

NUMBER LX.

HOUSE JOINT RESOLUTION asking for the Confirmation of Wm. H. Wisener, Sr., and Maj. Shelah Waters.

WHEREAS, Telegrams announce from Washington City, that Maj. Shelah Waters, of Wilson County, an honorably discharged soldier of the Union army, has been nominated by the President of the United States, for the position of Minister to Equador, now vacant, and

WHEREAS, From the same source, we learn that Hon W. H. Wisener, Sr., of the County of Bedford, has been nominated for the position of Collector of the Port of New Orleans; and

WHEREAS, On the part of Maj. Waters, recognizing his patriotic services to the Government during the late rebellion, as a soldier of her armies, and on

the part of Mr. Wisener, his devotion to the principles of freedom and liberty, and the eminent ability, incorruptible integrity and high standing of both gentlemen; therefore

Be it resolved by the General Assembly of the State of Tennessee, That we respectfully and earnestly request the confirmation of the said nominations by the honorable Senate of the United States, not only as a substantial acknowledgment of the services rendered the Government by the gentlemen named, but as appointments fitting to be made.

Resolved further, That it shall be the duty of the Governor and Secretary of State, to transmit, with the great seal of the State attached thereto, a copy of this resolution and preamble, to the Hon. Benjamin Wade, President of the Senate of the United States, with the request that the same be presented to that honorable body.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted Jan. 26, 1869.

NUMBER LXI.

SENATE RESOLUTION Requesting the Judiciary Committee to prepare Amendment to the Constitution.

WHEREAS, The colored citizens of the State have been enfranchised, and to equal rights before the law, it is right and proper that they should bear an equal portion of the burdens of taxation; therefore

Be it resolved, That the Committee on the Judiciary be instructed to prepare an amendment to the Constitution to accomplish said object.

D. W. C. SENTER,
Speaker of the Senate.

Adopted Jan. 26, 1869.

NUMBER LXII.

HOUSE RESOLUTION requesting the Senate to return the Memorial to the Congress of the United States in reference to the indebtedness of certain Railroads.

Resolved, That the Senate be requested to return to the House the Memorial to the Congress of the United States, in reference to the indebtedness of certain Railroads of the State of Tennessee to the United States Government.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted January 27, 1869.

NUMBER LXIII.

SENATE RESOLUTION directory to the House of Representatives.

Resolved by the Senate, That the House of Representatives be requested to return to the Senate, House Bill No. 535, reported on Monday last as passed by the Senate.

D. W. C. SENTER,
Speaker of the Senate.

Adopted January 27, 1869.

NUMBER LXIV.

SENATE RESOLUTION in relation to the School Fund.

Resolved, That the Committee on Common Schools be instructed to examine and ascertain the amount of the School Fund which constituted a part of the capital of the Bank of Tennessee, and report a Bill authorizing the issuance of State Bonds, with or without coupons, interest payable semi-annually for the amount of said fund for the benefit of Common Schools.

D. W. C. SENTER,
Speaker of the Senate.

Adopted January 27, 1869.

NUMBER LXV.

HOUSE JOINT RESOLUTION Directing the Comptroller to issue his warrant for the payment of David Grewer.

Be it resolved by the General Assembly of the State of Tennessee, That the Comptroller issue his warrant to David Grewer for the sum of two hundred and fifty dollars, to pay him for repairing the furnaces and heating the Capitol Building, and that the Treasurer pay the same, and that the amount be included in the General Appropriation Bill.

W. F. PROSSER,
Speaker pro tem. of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted February 2, 1869.

NUMBER LXVI.

HOUSE RESOLUTION Directing the Comptroller to Issue his Warrant for the Payment of Witnesses, etc.

Resolved, That the Comptroller audit and issue his warrant on the Treasurer to S. H. Whiteman, Thomas R. Smith, W. A. Hill, W. W. Colman, George R. Rutter, Ed. H. East, Thomas B. McElwee, E. A. James, Wm. Spence, S. W. Hatchett and John W. Smith, for their per diem and mileage as witnesses in the investigation of the school fund deposited in the Tennessee National Bank, at Memphis, at the rate of two dollars per day, and eight dollars per hundred miles traveled in a direct line, the same to be included in the General Appropriation Bill.

W. F. PROSSER, *pro tem.*,
Speaker of the House of Representatives.

Adopted February 3, 1869.

NUMBER LXVII.

HOUSE RESOLUTION Tendering Thanks to the Committee on the School Fund.

Resolved, That the thanks of this House are hereby tendered in the name of the people of Tennessee to the Committee on the School Fund, for their energy and faithfulness in the discharge of their responsible duties.

W. F. PROSSER, *pro tem.*,
Speaker of the House of Representatives.

Adopted February 3, 1869.

NUMBER LXVIII.

HOUSE RESOLUTION Directing the Doorkeeper as to the Distribution of Letters and Newspapers.

Resolved, That the principal and assistant Doorkeepers of this House be and they are hereby instructed to receive and distribute the letters and newspapers and public documents to the members in person, as soon as they can conveniently do so after the same may have come into their hands, unless otherwise ordered by absent members during such absence.

W. F. PROSSER, *pro tem.*,
Speaker of the House of Representatives.

Adopted February 3, 1869.

NUMBER LXIX.

HOUSE RESOLUTION Appointing a Committee to Investigate Charges Preferred Against Members of the House in Relation to the School Fund.

WHEREAS, The Special Committee appointed by the House of Representatives to investigate the condition of the School Fund deposited in the Tennessee National Bank of Memphis; and

WHEREAS, Said Committee submitted to this House their report on the 2d inst., and in which appears tes-

timony of a grave character, impeaching the honesty and integrity of some of the members of our body; and

WHEREAS, The dignity of the State should be maintained and the persons implicated should be brought to justice; therefore

Be it resolved by the House of Representatives, That a committee of five be appointed to make a report to this House without delay; First, Whether or not, from the testimony submitted by the Special Committee on the School Fund, to this House, is sufficient to warrant this House in expelling its members, who are charged and implicated in acting and receiving money to destroy said School Fund.

Resolved further, That said Committee may, if the accused members in said report, as aforesaid, demand a hearing as to their guilt or innocence, submit their pleas or evidences as they may desire, which may be embodied in the report of the Committee to this House.

W. F. PROSSER, *pro tem.*,
Speaker of the House of Representatives.

Adopted February 3, 1869.

NUMBER LXX.

SENATE JOINT RESOLUTION In relation to Bills failing to pass in either House.

Resolved by the General Assembly of the State of Tennessee, That in all cases where a Bill fails in either House of the Bill original, and was passed by the other House, such House in which the Bill originated shall be immediately informed thereof by message.

W. F. PROSSER, *pro tem.*,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted February 4, 1869.

NUMBER LXXI.

SENATE JOINT RESOLUTION Directory to Commissioners of Registration.

Resolved by the General Assembly of the State of Tennessee, That the Registers of Voters in the State of Tennessee be requested to immediately return the number of qualified colored voters in their respective Counties to the office of Secretary of State.

Resolved, That the Secretary of State forward a copy of this Resolution to the different Registers in the State.

W. F. PROSSER,
Speaker pro tem. of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted February 4, 1869.

NUMBER LXXII.

SENATE JOINT RESOLUTION Directory to the Governor of the State.

Resolved by the General Assembly of the State of Tennessee, That His Excellency, the Governor of the State, be, and he is hereby, authorized and requested, to open a correspondence with the several Governors of the States of Alabama, Arkansas, Texas and Mississippi, and urge upon them the propriety of the people of their respective States paying certain claims now due and held by the State of Tennessee against the aforesaid States, for keeping a portion of the insane of said States in the Tennessee Hospital for the Insane, from the date of their admission up to the time of their removal, by order of the Legislature or otherwise.

Be it further resolved, That the Superintendent of the Tennessee Hospital for the Insane shall, at the request of the Governor of Tennessee, furnish His Excel-

lency the amount of the indebtedness of the several States for keeping the aforesaid insane of said States.

W. F. PROSSER,
Speaker pro tem. of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted February 4, 1869.

NUMBER LXXIII.

HOUSE RESOLUTION Appointing a Committee to examine into and report as to the charge against G. W. Blackburn, Comptroller, &c.

WHEREAS, George W. Blackburn, Comptroller of the State of Tennessee, did, on the morning of February 5th, 1869, enter the Hall of the House of Representatives of this State, and did then and there approach a member of this House representing the County of Franklin, in this State, and did, without notice, strike the said Representative so representing the said County of Franklin, for, as is alleged, words spoken in debate the previous day upon the floor of the House in his legislative capacity, contrary to the Constitution of this State, as expressed in sections 12, 13 and 14, of Art. 2, of [the Constitution of] of this State; Therefore, be it

Resolved by the House of Representatives of the State of Tennessee, That a committee of three (3) be, and they are hereby, appointed to examine into said charge and report to this House the steps necessary, if any, looking to the punishment of the said George W. Blackburn.

W. F. PROSSER,
Speaker pro tem. of the House of Representatives.

Adopted February 5, 1869.

NUMBER LXXIV.

HOUSE RESOLUTION Appointing a Committee to Investigate Charges Against Lobby Members, etc.

WHEREAS, It is reported that there are or have been persons who are or have been daily frequenting. this Hall as "lobbyists" during the present and former sessions of the present General Assembly, who have corruptly offered to bribe and influence members of this House, either not to vote against or to vote for certain measures or bills, amongst others at the present session, is House Bill No. 127, now on its third reading, to grant State aid to the East Tennessee and Western North Carolina Railroad, and now pending before this House; and at a former session of this General Assembly, a bill known as the "Omnibus Bill," granting or proposing to grant State aid to the East Tennessee and Kentucky Railroad, in the State of Tennessee; and

WHEREAS, Under section 4797 of the Code, it is made an offense punishable by imprisonment in the penitentiary not less than two years nor more than ten years, for any person to corruptly promise or give to any member of the Legislature any gift, gratuity or other thing of value, with intent to influence said member's acts, vote or opinion, decision or judgment on any matter which may be then pending, or which may be by law brought before said member in his official capacity; therefore

Be it resolved by the House, That a committee of five be appointed, with power to send for persons and papers, and make an investigation into said report, as stated in the preamble of this resolution, and report at as early a day as practicable as to the truth or falsity of said report of bribery and corruption aforesaid.

W. F. PROSSER, *pro tem.*,
Speaker of the House of Representatives.

Adopted February 9, 1869.

NUMBER LXXV.

HOUSE RESOLUTION Authorizing the Treasurer to Prosecute Unpaid Claims now Held by the State, etc.

Resolved by the House of Representatives, the Senate concurring, That the Treasurer of the State be and he is hereby authorized and empowered to prosecute such due and unpaid claims now held by the State, and to take such measures as he may deem necessary to secure their collection, and especially to take such legal action as may be necessary to secure the payment of so much of the School Fund as still remains due and unpaid; *Provided*, he acts in concert with Thomas R. Smith, Esq., for all business in Shelby County, until otherwise instructed by the Governor or Legislature.

W. F. PROSSER, *pro tem.*,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted February 10, 1869.

NUMBER LXXVI.

HOUSE JOINT RESOLUTION Authorizing the Superintendent of the Capitol to take Charge of the State Armory, etc.

WHEREAS, The brick building, constituting a portion of the State Armory building, has been torn down and mainly carried off; therefore

Resolved by the General Assembly of the State of Tennessee, That the Superintendent of the Capitol be and he is hereby authorized to take charge of said State Armory property and advertise for ten days, giving the hour at which time he shall sell to the highest bidder for cash, all that part of the property which is subject to be removed from said premises, giving parties thus purchasing possession of the same, and pay the money over to the State Treasurer. He shall also collect, pay for that part of the property which has been taken away; and also shall collect rents for the use of the wooden building off of parties who have used it up to this time, which shall likewise be paid into the State Treasury.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted February 10, 1869.

NUMBER LXXVII.

HOUSE RESOLUTION Empowering the Special Committee, Raised by House Resolution No. 315, to Investigate Charges, etc.

WHEREAS, Hon. Samuel M. Arnell having voluntarily appeared and requested an investigation of his connection with the School Fund and the affairs of the Tennessee National Bank of Memphis; therefore

Be it resolved, That the Special Committee, raised by House Resolution No. 315, be empowered to investigate the implied charges against the said S. M. Arnell without delay, and report to this House.

W. F. PROSSER, *pro tem.*,
Speaker of the House of Representatives.

Adopted February 10, 1869.

NUMBER LXXVIII.

SENATE JOINT RESOLUTION Directing Comptroller to Settle with Railroad Receivers.

WHEREAS, The committee to whom was referred, by resolution of the Senate, the settlement of the accounts of the former Receiver of the Edgefield and Kentucky Railroad, as recommended by the Governor in his Message of January the 4th, 1869, have failed to find any law authorizing or empowering said committee to make such settlement; *and Whereas*, it is expressly provided by section 1105 of the Code, that "the Comptroller shall, from time to time, settle with Receivers;" *and Whereas*, R. B. Cheatham, former Receiver of the Edgefield and Kentucky Railroad, has failed and refused to render to the present incumbent, John B. Brownlow, any statement of the expenditure of the bonds of the State or earnings of the road received by him, and failed to file, in the general office of the road, the books, vouchers and contracts representing the same; therefore,

Resolved by the Senate (*the House of Representatives concurring*), That the Comptroller is hereby directed to demand of R B. Cheatham, former Receiver of the Edgefield and Kentucky Railroad, all books of accounts, records, vouchers, correspondence, contracts, and other papers relating to the business of the said railroad and

his office as Receiver, and make, if possible, a final settlement with the said Cheatham, and report the same to the Legislature within ten days, specifying in his report, in detail: 1st, The amount of bonds received by the said Cheatham, and when received. 2d, The amount of property as per inventory received from the United States authorities belonging to the railroad, and by purchase. 3d, A detailed statement of the gross earnings of the road received from all sources. 4th, The amount of bonds sold, the date of sale, and to whom or by whom sold. 5th, The amount of bonds unsold; the amount of money, means and other assets remaining in his hands as Receiver. 6th, The amount expended in operating the road, with vouchers and pay-rolls accompanying. 7th, The amount expended in repairs and on bridges and trestles, with estimates, contracts and vouchers for same. 8th, The amount expended for supplies, machinery, rolling stock, etc., with vouchers accompanying the same. 9th, The amount received on account of salary; and whether the amount received or retained is in accordance with the law regulating the salaries of Receivers. 10th, The amount of debts, if any, contracted by the said Receiver, due and unpaid. 11th, The amount received for any of the property or supplies sold by the said Receiver. 12th, The amount paid on account of interest (if any) to the Comptroller or Treasurer of the State.

Be it further resolved, That all statements and accounts rendered by the said Receiver shall be duly certified, under oath, by the Receiver and Superintendent of the road.

Be it further resolved, That the Comptroller be authorized and directed to employ the services of a competent engineer, who shall examine the contracts for work done on said railroad, and examine the work represented to have been done by contract, and vouchers, and report his estimate as to the correctness of the same, under oath, to the Comptroller; and that the Comptroller and engineer are hereby empowered to administer oaths and send for persons and papers, if deemed by them, necessary to acquire a just and fair settlement to the State.

Be it further resolved, That the provisions of the foregoing resolutions shall apply to all other Railroad Receivers in the State who have failed to make satisfactory settlements in accordance with the law prescribing the duties of Receivers, and the Comptroller is

hereby directed to make such settlements, at the earliest day practicable, and report the same to the next Legislature.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted February 12, 1869.

NUNBER LXXIX.

SENATE RESOLUTION referring report of Committee under House Joint Resolution, No. 237.

Resolved, That the report of the Joint Select Committee, acting under House Joint Resolution No. 237, be referred to said committee with instructions to report the counties in which common schools have been put into operation; the names of the County Superintendents; the date of their appointments, and amount paid to each Superintendent.

P. P. C. NELSON,
Speaker of the Senate.

Adopted February 13, 1869.

NUMBER LXXX.

HOUSE JOINT RESOLUTION instructing the Attorney General in respect to the Penitentiary.

Resolved by the General Assembly of the State of Tennessee, That the Attorney General of the State be instructed to postpone further action in the suit brought against Ward & Briggs, Lessees of the Penitentiary, and that an arbitration be proposed to be established by the appointment of an arbiter by the Governor; one arbiter to be appointed by said lessees, both of whom shall be learned in the law, and the two so appointed shall select an umpire to settle any question of disagreement, and the board thus formed, shall examine and determine all questions between the

parties, and their decision shall be accepted as a final settlement of the matters in dispute between the State and Lessees of the Penitentiary, and to make their proposition binding on the parties, said Ward & Briggs shall file with the Secretary of State, and with the clerk of the court in which said action is pending, a written acceptance of the terms proposed within five days from the passage of this resolution, otherwise the Attorney General shall prosecute said suit.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted February 15, 1869.

NUMBER LXXXI.

SENATE JOINT RESOLUTION Directory to the Comptroller.

Resolved by the General Assembly of the State of Tennessee, That the Comptroller issue his warrant to T. C. Hibbett, executor of J. F. Hibbett, deceased, for one hundred and twenty-four dollars and seventy cents, amount due the latter for material, lumber, etc., furnished the Asylum for the insane; also to H. J. Thomas, for coal and curbage, to the amount of twenty-seven dollars and forty-five cents; also that the same be included in the General Appropriation Bill.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted February 15, 1869.

NUMBER LXXXII.

SENATE JOINT RESOLUTION to meet in Convention to elect a Comptroller.

Resolved by the General Assembly of the State of Tennessee, That the two Houses meet in convention

in the hall of the House of Representatives, on Wednesday, February 17, 1869, at 12 o'clock M., for the purpose of electing a Comptroller for the next two years after the expiration of the present incumbent's term of office.

F. S. RICHARDS,
Speaker of the House of Representatives.
D. W. C. SENTER,
Speaker of the Senate.

Adopted February 15, 1869.

NUMBER LXXXIII.

HOUSE RESOLUTION Tendering Thanks to Hon. W. F. Prosser.

Resolved by the House of Representatives of the General Assembly of the State of Tennessee, That the thanks of this House are due and hereby tendered to Hon. W. F. Prosser, Representative from the county of Davidson for the able, highly efficient and becoming manner in which he discharged the duties as Speaker *pro tem.* of this House.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted February 16, 1869.

NUMBER LXXXIV.

HOUSE RESOLUTION Appointing a Committee to Investigate the Charges, etc., against the Hon. James Mullins, etc.

WHEREAS, The Hon. James Mullins has been implicated by the testimony adduced before the Special Committee on the School Fund with having been in complicity with certain other parties in procuring the School Fund to be deposited in the Tennessee National Bank of Memphis, whereby a large sum of said fund was embezzled and lost, and said Mullins having demanded an investigation of his conduct in the premises; therefore,

Resolved by the House of Representatives, That the Speaker appoint a committee of five to investigate the

said charges by hearing proof, and for this purpose be empowered to send for persons and papers and report to this House forthwith.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted February 16, 1869.

NUMBER LXXXV.

SENATE RESOLUTION Authorizing the Engrossing Clerk to Employ Additional Clerical Aid.

Resolved, That the Engrossing Clerk of the Senate be authorized to employ such assistance as will enable him to complete the enrollment and engrossment of all bills passed prior to the adjournment of this General Assembly; the amount to be paid shall not exceed the *per diem* allowed the Engrossing Clerk, and that the expense be included in the General Appropriation Bill.

D. W. C. SENTER,
Speaker of the Senate.

Adopted February 19, 1869.

NUMBER LXXXVI.

SENATE RESOLUTION in Relation to the Speakership.

Resolved, That when the powers and duties of the Governor of Tennessee shall devolve on the Speaker of this body, that the Speakership of the Senate is thereby vacated, and that the Senate should elect another presiding officer.

Resolved further, That when Hon. D. W. C. Senter shall become Governor because of his being Speaker of the Senate, that his seat in this body as Senator from the Fourth Senatorial District thereby becomes vacant.

D. W. C. SENTER,
Speaker of the Senate.

Adopted February 19, 1869.

NUMBER LXXXVII.

HOUSE RESOLUTION Instructing the Committee on Finance.

Resolved, That the Committee on Finance and Ways and Means take into consideration, and immediately at their earliest convenience, report what action is necessary to secure the claim held by the State against the Tennessee National Bank, and report by Bill or otherwise.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted Feb. 23, 1869.

NUMBER LXXXVIII.

SENATE JOINT RESOLUTION to meet the House in Joint Session.

Resolved by the Senate, the House of Representatives concurring, That the Senate will meet the House in the Hall of the House of Representatives, on Thursday, the 5th inst., at 12 o'clock M., for the purpose of inaugurating the incoming Governor.

F. S. RICHARDS,
Speaker of the House of Representatives,
P. P. C. NELSON,
Speaker of the Senate.

Adopted Feb. 23, 1869.

NUMBER LXXXIX.

HOUSE JOINT RESOLUTION instructing the Superintendent of the Capitol, etc.

Resolved by the General Assembly of the State of Tennessee, That the Superintendent of the Capitol have the roof and dome of the Capitol building repaired, so as to prevent leakage, and the Comptroller, upon his in-

vestigation, and approval of the amount charged for the same, shall draw his warrant on the Treasurer for the amount of said bill.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Adopted Feb. 23, 1869.

NUMBER XC.

HOUSE JOINT RESOLUTION to Adjourn on Monday the 1st day of March, 1869.

Resolved by the General Assembly of the State of Tennessee, That the General Assembly adjourn *sine die*, on Monday, the 1st day of March, 1869.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Adopted February 26, 1869.

NUMBER XCI.

SENATE JOINT RESOLUTION for the Benefit of C. W. West, Tax Collector, Smith County.

WHEREAS, As by the accompanying affidavit and statement of the Comptroller of the State, it appears that C. W. West, of the county of Smith, was Tax Collector in said county for the year 1861, and that for the State tax in said county, for the said year, did collect on account thereof, the sum of two hundred and eighteen dollars in funds of the Bank of Tennessee, of what is commonly known as the Torbett issue, and since proven to be worthless, but at the time of collection, was considered *bona fide;* therefore be it

Resolved by the General Assembly of the State of

Tennessee, That the said C. W. West be, and he is hereby relieved from the payment of said two hundred and eighteen dollars to the Treasury of the State.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Adopted February 26, 1869.

NUMBER XCII.

HOUSE RESOLUTION tendering thanks to the Speaker and Officers.

WHEREAS, Hon. F. S. Richards, Speaker of the House of Representatives, has presided for two years over this body, and has conducted himself honorably, impartially, and courteously as such Speaker; therefore

Be it resolved, That the thanks of the members of the House of Representatives be, and are hereby tendered to our honorable Speaker, for the able and courteous manner in which he has discharged his onerous duties.

Be it further resolved, That the thanks of the members of this House be tendered to the Officers thereof, for their faithfulness in the discharge of their duties.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted Feb. 26, 1869.

NUMBER XCIII.

HOUSE RESOLUTION Instructing the Comptroller and Treasurer to report to this House.

WHEREAS, There is a certain amount of money set apart for the purpose of Common Free Schools in the State of Tennessee; and

WHEREAS, The statute of the State forbids any officer of the State from applying said School Fund to any purpose aside from that of Common Free Schools; and

WHEREAS, Application has been made to the Treasurer of the State by the legal school officers,, for the amount of money due certain counties, and said Treasurer wholly refused to pay the same, or give a draft for the same; therefore

Be it Resolved by the House of Representatives, That the Comptroller and Treasurer of the State, be required to immediately report to this House, the amount of School money in the Treasury, and in the event there is none to account for, what has become of the money, and that they be required to report fully, and before this General Assembly adjourns.

F. S. RICHARDS,
Speaker of the House of Representatives,

Adopted Feb. 26, 1869.

NUMBER XCIV.

HOUSE RESOLUTION Instructing Comptroller, &c.

WHEREAS, That by An Act to authorize the investing of certain moneys in State bonds, chapter 44, passed February 27, 1854, the Governor and Comptroller were authorized to cause certain dividends and *bonus* arising from the School Fund stock in the Union and Planter's Bank, to be invested in the bonds of the State; and

WHEREAS, It was made the duty of the Governor and Comptroller to deposit the bonds so purchased, with the dividends from the School Fund stock, in the Union and Planter's Bank of Tennessee, and take the receipt of the President of the Bank for the same; and

WHEREAS, The said investment and deposit was made in said Bank, and the President's receipt taken therefor, and the said bonds are now in the possession of said Bank; Be it, therefore,

Resolved by the General Assembly of the State of Tennessee, That the Comptroller be, and he is hereby, authorized to demand and receive from the Bank of Tennessee, ten capital bonds 6 per cent., of $1000 each, Nos. 217, 225, 221, 233, 6, 41, 44, 40, 42, 43, deposited 1st of September, 1860; also twelve bonds of State of Tennessee, Nos. 90, 39, 9041, 9045, 9046,

9028, 9029, 9043, 9040, 9038, 9037, 9042, 9044, deposited the 15th of September, 1859; also thirteen bonds, (capital,) Nos. 31, 32, 33, 34, 37, 17, 75, 36, 35, 39, and three State bonds, Nos. 5995, 5997, 5994, deposited July 25, 1858; also three capital bonds of $250 each, deposited without numbers, as per receipt of the President of the Bank the 3d of October, 1858.

Be it further resolved, That the Comptroller shall, when said bonds are received by him, cancel the same and place the amount of the principal due thereon to the credit of the School Fund proper, and the interest to the School Fund for distribution.

Be it further resolved, That the Comptroller shall report the receipt, together with the number of bonds, their principal and interest, to the Legislature now in session.

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted February 27, 1869.

NUMBER XCV.

HOUSE RESOLUTION on Parting.

Resolved by the House of Representatives, That we all part in peace, and that the Great Eternal may bless us for all our good votes, and may our bad ones not lead to disadvantages, which will tend to the injury of our beloved State.

Resolved, That we will use our utmost endeavors to make our respective counties quiet and peaceable.

Resolved further, That we will endorse the words of our great General, "Let us have Peace."

F. S. RICHARDS,
Speaker of the House of Representatives.

Adopted February 27, 1869.

NUMBER XCVI.

HOUSE JOINT RESOLUTION Instructing the Comptroller not to issue his Warrant, etc.

Resolved by the General Assembly of the State of Tennessee, That the Comptroller be, and he is hereby instructed not to issue his warrant to any person or parties upon the Treasury for the payment of any account for job printing that shall hereafter be ordered by State officers, except it be to the State Printer, whose duty it is to do such printing, and for which he shall only charge such prices as is specified in the Code of Tennessee, and existing statutes regulating the same.

F. S. RICHARDS,
Speaker of the House of Representatives.
P. P. C. NELSON,
Speaker of the Senate.

Adopted March 1, 1869.

NUMBER XCVII.

SENATE RESOLUTION Tendering Thanks to the Officers of the Senate.

Resolved by the Senate, That the Senators do hereby tender their sincere gratitude to Hon. P. P. C. Nelson for his punctuality and efficiency as a Senator, and especially for that impartiality and courtesy that he uniformly manifested to his compeers whilst acting in the capacity of a presiding officer of this body.

Resolved further, That we also tender our thanks to the Clerks, Doorkeeper and Porter, and other officers of the Senate, for their faithfulness to business and politeness to members.

Resolved further, That the thanks of the Senate are tendered to the Chaplain, Rev. Mr. Huntington, for his faithful services during the session of the Senate.

P. P. C. NELSON,
Speaker of the Senate.

Adopted March 1, 1869.

INDEX

TO

PRIVATE ACTS.

1868-69.

INDEX TO PRIVATE ACTS.

[ERRATA.—The Act of January 29, 1869, chapter 34, page 151, is erroneous in its reference to the Act it amends.

Chapter 41, section 24, refers to An Act passed when there was no Legislature.

The "Act to Incorporate the Union Bank of Memphis, and for other purposes," passed March 3, 1868, marked (*a.*) and the "Act Incorporating the Western University in Shelby County, and for other purposes," passed March 12, 1868, marked (*b.*) should have appeared in the Acts of 1867-8, but, as they were not engrossed, or signed by the Speakers, or filed in my office at the proper time, I am forced to print them with Acts passed 1869. The same remarks apply to "An Act to amend section 3005 of the Code of Tennessee, (chapter XLVII,) on page 364, which should have appeared with the Public Acts.

A. J. FLETCHER, *Secretary of State.*]

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" Savings, of Huntingdon, incorporated	18	4	113
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" of McMinnville incorporated	18	8	113
" of Cleveland incorporated	18	9	114
" Lincoln Savings, incorporated	20	1	116
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" of Cleveland,	18	9	114
" of McMinnville,	18	8	113
" Lincoln Savings,	20	1	116
" Richland Savings,	20	7	117
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" Huntingdon Savings,	18	4	113
" Mechanics', of Nashville,	18	5	113
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" Merchants', of Knoville,	37	2	154
" Union, of Knoxville,	37	17	157
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" Brownsville Savings,	44	23	197
" Union & Planterss', of Memphis,	45	21	208
" Union, of Knoxville,	48	1	251
" of Clarksville,	48	5	252
" Lookout, of Morristown,	48	6	252
" Soldiers' and Sailors', of Tennessee,	49	1	253
" Memphis, of Discount and Deposit,	49	4	254
" City Deposit, of Nashville,	49	10	255
" Home Savings, of Memphis,	51	13	262
" Farmers and Mechanics', of Shelbyville,	57	1	303
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Belleville, town of,	56	29	295
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Bricklayers' and Builders' Association, of Nashville,	58	8	304
Bethel Male and Female Academy,	59	22	311
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Columbia, City of,	56	1	285
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East Tennessee Mining and Manufacturing Company	55	1	281
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Fayetteville & Elkton Turnpike Company	45	8	205
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Franklin County Agricultural and Mechanical Society	54	28	279
Franklin Colored Benevolent Society	56	26	294
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Giles County Blood Horse Association	42	6	189
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Gallatin Branch Turnpike Company	51	14	262
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Henryville Academy	47	31	231
Humboldt Woolen Mills	47	37	232
Huntsville & Jamestown Turnpike Company	59	11	309
Hunt's Ferry and Turnpike Company	59	12	309
Hart Turnpike Company	61	31	333
Hales Point and Double Bridge Plank Road Company	60	19	319
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Knoxville Marble & Mining Company	47	1	225
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Labanon & Cainesville Turnpike Company	53	13	267
" Woolen Mills	60	1	315
" & Gallatin Telegraph Company	60	5	316
" Manufacturing Company	60	14	318
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" Oil Company,	40	1	175
" and Whites River Packet Company,	40	10	177
" Broom and Woodenware Manufacturing Company,	40	11	194
" and Vicksburg Railroad Company,	46	33	220
" and Holly Springs, Okolona & Selma Railroad Co.,	46	39	221
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" Saving's Institute,	9	4	92
" Manufacturing Company,	51	7	261
" Literary Association	56	19	298
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" Agricultural and Mechanical Association	54	1	273
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" Gaslight Company	25	7	129
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" " " "	47	23	229
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" " " " " " "	41	37	187
" " " " " " "	47	41	232
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" Town of	55	13	284
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" " " "	61	18	330
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Franklin Co. Agricultural & Mechanical Society incorporated	54	29	279
" Colored Benevolent Association "	56	26	294
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" " " " " Charter of Amended	44	24	197
" Bank of, incorporated	37	21	158
" Branch Turnpike Company incorporated	51	14	262
" and Hartsville Railroad Company incorporated	53	2	265
" Branch of S. W. Railroad incorporated	53	18	268
" and Ridge Turnpike Co., may purchase road bed, etc	59	14	309
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Gibson Cotton & Woolen Manufacturing Co. incorporated	40	16	179
Giles County Blood Horse Association "	42	6	189
Gilbert Lodge F. & A. M. "	5	3	87
Gordonsville & Lancaster Turnpike Company "	47	29	230
Governor may represent State stock in Railroads	11	28	100
Granville Lodge, F. A. M., incorporated	5	1	78
Grace Church, in city of Memphis, incorporated	6	1	58
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H			
Harper's Male and Female Academy, incorporated	39	9	216
Hamilton County Fair Grounds Association, incorporated	46	19	216
Hales Point & Double Bridge Plank Road Co., "	60	19	319
Hart's Turnpike Company, "	61	31	333
Henderson Station, "	25	17	131
Howard Association, of Memphis, "	28	1	134
Hollow Rock, town of "	39	35	173
Home Savings' Bank, of Memphis, "	51	13	262

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Huntingdon Savings' Bank, " ...	18	4	113
Huntsville, inhabitants of, " ...	44	37	199
Huntsville & Jamestown Turnpike Company, " ...	59	11	309
Henryville Academy, " ...	47	31	231
Humboldt Woolen Mills, " ...	47	37	232
Hunt's Ferry Turnpike Company, " ...	59	12	309
I			
Iron Machinery and Stone and Hollow-Ware Moulders Protective and Co-operative Union ...	38	1	159
Irish Literary Association, of Nashville, incorporated ...	55	14	284
" " " of Memphis, " ...	61	15	330
J			
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Lawrenceburg, town of " ...	56	16	292
Lebanon, town of " ...	39	11	163
" & Cainville Turnpike Co., " ...	53	13	267
" Woolen Mills, " ...	60	1	315
" & Gallatin Telegraph Company, " ...	60	5	316
" Manufacturing Company, " ...	60	14	318
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Lewisburg, Caney Springs, & Spring Hill Turnpike Company, incorporated ...	62	1	343
Lewisburg & Culleoka Railroad Company, incorporated ...	11	1	93
Lear's Medical Springs, name of, changed ...	47	16	228
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